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Illinois Issues

October 2003 \$3.95

A publication of the University of Illinois at Springfield



Bryan Samuels

Illinois' child welfare agency
faces daunting challenges.

But the new Children and Family
Services director has fresh strategies.

And even critics wish him success

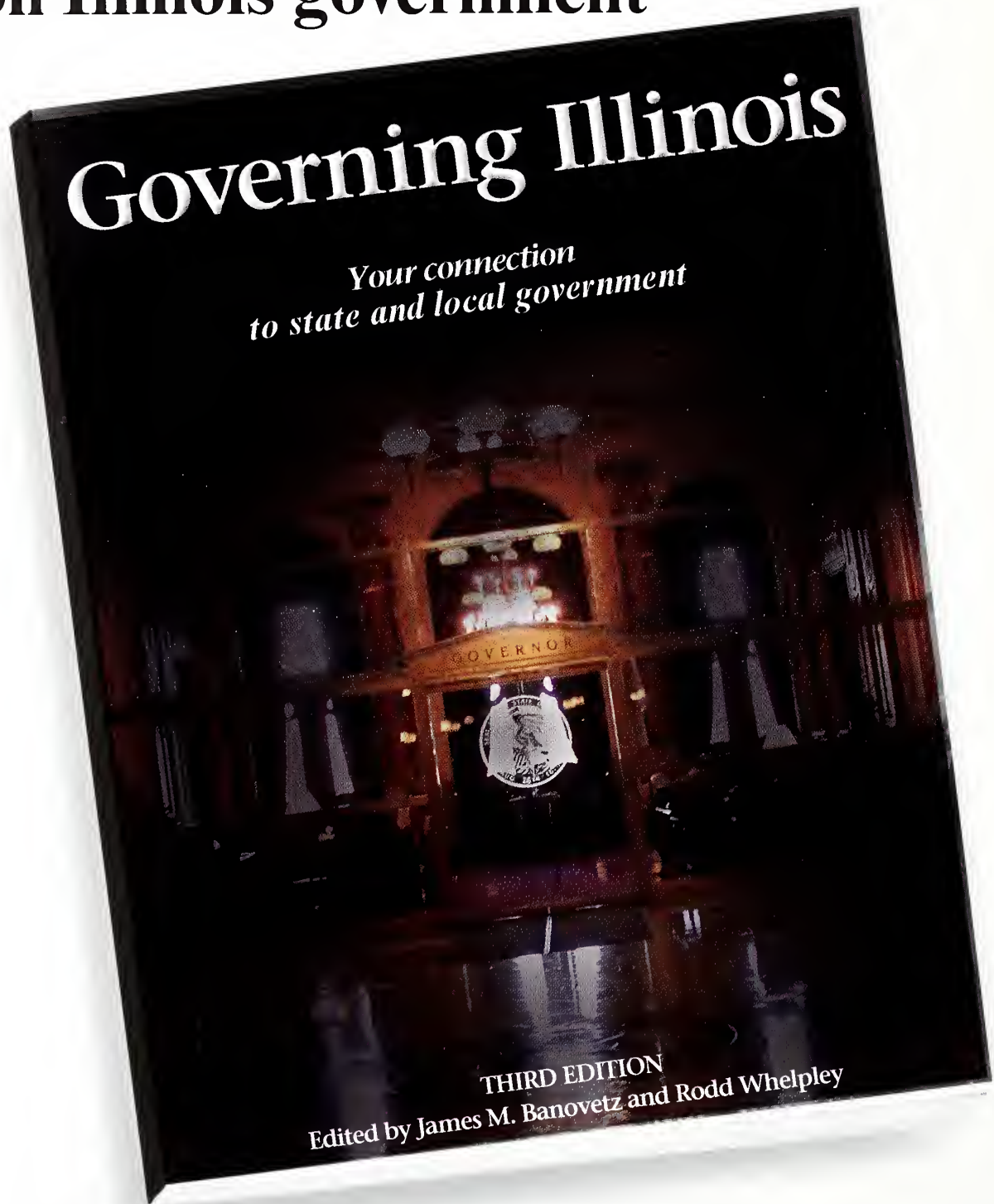


Roger Walker

The new Department of Corrections
director is personable and practical.
He's more comfortable looking
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Peggy Boyer Long



More power to the states. But do governors and lawmakers really want it?

by Peggy Boyer Long

Governors may have reason to remember the old adage on being careful about wishes.

The move to shift responsibility for social welfare programs from the federal government to the states has definitely picked up steam under President George W. Bush.

Proponents of devolution, so called, promote it as a way to give the states flexibility to reinvent social policy, to tailor it to local needs. And that's something state officials have devoutly wished for.

But the reality of this growing trend, coming as it does in the midst of a deep economic downturn, will require the nation's governors and state legislators to be especially creative and resourceful, just as many find themselves staring into the worst budget hole in a generation.

The shift shouldn't come as a surprise. Some of those state officials who have been most outspoken about giving states room to innovate — former Wisconsin Gov. Tommy Thompson comes to mind — now work in the Bush Administration.

And Bush, himself a former governor of Texas, made it clear at the outset of his tenure in the White House that he wants to give states more leeway in devising and executing

Over the past year, the Bush Administration has rolled out a lengthening list of programmatic responsibilities it wants to devolve to the states.

the programs that affect them. In Robert Pear's analysis, written as President Bush was settling into that office, the *New York Times* reporter predicted Bush would grant flexibility in social, regulatory and public works programs.

"Across the spectrum of domestic policy issues," Pear wrote, "from health and welfare to education, transportation and environmental protection, the new administration promises to shift power from the federal government to the states, and state officials of both parties said they expected the promises to be kept."

Indeed they have. Over the past year, the Bush Administration has rolled out a lengthening list of programmatic responsibilities it wants to devolve to the states. We have written about some of those programs in recent issues of

this magazine, among them health care and housing subsidies for the poor.

State Sen. Steven Rauschenberger calls this trend healthy. He's an Elgin Republican and the GOP point man on budget matters in his chamber. "States," he says, "are being treated with more respect under the Bush Administration than they have been."

Rauschenberger would be called a strict constructionist when it comes to the 10th Amendment of the U.S. Constitution. "The feds should stick to national defense, foreign policy and banking," he says. "The feds are a poor arbiter of social needs."

As for the timing of this shift, he says there's always risk in a cyclical economy. "The states have been dealing with that for 50 years."

If Congress and the president give the states authority and spending flexibility in social programs, Rauschenberger says, there will be successes. His only concern is that the federal government won't stick with the program. If national leaders see successes in the states, he worries, they may want to reregulate.

There has been tension over relative federal-state powers, an evolution in devolution, if you will, for more than 200 years.

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To be quick about it, the drafters of the nation's constitution were intent on circumscribing federal powers, though Alexander Hamilton may have loosened the bonds when he created a national bank and set about to bail the new states out of debt. That was the first time the central government saw itself as working for the common good of the states and the nation as a whole.

Nevertheless, the primacy of the states remained mostly intact until the 1930s. Then, in the midst of the Great Depression, President Franklin Delano Roosevelt rewrote the social contract — and the relationship between the federal government and the states. His New Deal constituted a major shift in the direction of centralized power when the federal government assumed responsibility for the social condition of individuals.

Now that social contract and the federal-state relationship is being rewritten again.

Devolution, as we have written in this magazine, was the centerpiece of Newt Gingrich's 1994 Contract With America. It was behind the 1996 law that shifted responsibility for welfare, the nation's income assistance program, to the states. Under that reform, due to be reauthorized, states get block grants from the federal government and almost complete control to determine eligibility and benefit levels.

The Bush Administration would shift responsibility for Medicaid, the program that covers health care for poor people, Section 8, the federal government's most common type of rent subsidy (see *Illinois Issues*, September, page 27) and Head Start, the program that provides preschool services for low-income children and social services for their families.

No surprise, service providers and liberal policy analysts argue that some in national politics are really out to dismantle social entitlements — and shrink the federal government. Block grants, they argue, are unlikely to keep pace with costs.

Their strongest case-in-point on that score is Bush's plan to overhaul

Medicaid. Many governors, even Bush's brother Jeb, the governor of Florida, have raised concerns. Some worry the plan won't protect their states from unforeseen costs.

As we wrote in April (see page 20), governors, in return for the desired authority to manage that shared federal-state program, would get responsibility for keeping Medicaid costs in check. And that won't be easy, especially in a sour economy when more people are in need. For many states, including Illinois, Medicaid appropriations have outpaced other key categories of spending.

As with other programs, Bush would transform open-ended entitlements into capped allotments, these to run over the next decade. The federal government would no longer reimburse states for a percentage of their Medicaid spending.

The problem is that state officials in Illinois and elsewhere don't want to — and likely can't — say what will happen to Medicaid spending over the next decade.

Gov. Rod Blagojevich, who faces a two-year \$5 billion deficit, has taken a wait-and-see approach to Bush's Medicaid plan. He has criticized outright the plan to devolve Section 8, writing in a letter to federal officials that the state is unprepared to run a housing voucher program — and can't afford to.

The Bush Administration, which faces its own fiscal problems — a cumulative deficit estimated by the Congressional Budget Office to reach \$2.3 trillion by 2013 — seems undeterred.

This raises red flags for critics. Lenny Goldberg, in a 1996 piece for *The American Prospect*, has gone so far as to argue that, in this era, shifts in federal-state responsibilities constitute a deception. Entitlements, he contends, are being eliminated under cover of block grants.

Governors may get their wish for authority, but not for resources. If so, they'll be left to make the hard choices on what to kill and what to keep. □

Peggy Boyer Long can be reached at peggyboy@aol.com.

Illinois Issues

A publication of the University of Illinois at Springfield

October 2003

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Credits: The cover was designed by Diana L.C. Nelson. The photographs of Bryan Samuels and Roger Walker come to us courtesy of the state departments of Children and Family Services and Corrections.

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Subscription questions: Illinois Issues, Subscription Division, P.O. Box 2795, Springfield, IL 62708-2795 or call 1-800-508-0266. Hours are 8:00 a.m. - 4:30 p.m. Central Time, Monday-Friday (except holidays). **Subscriptions:** \$39.95 one year/ \$72 two years/ \$105 three years; student rate is \$20 a year. Individual copy is \$3.95. Back issue is \$5. Illinois Issues is indexed in the PAIS Bulletin and is available electronically on our home page: <http://illinoisissues.uis.edu>. Illinois Issues (ISSN 0738-9663) is published monthly, except during the summer when July and August are combined. Periodical postage paid at Springfield, IL, and additional mailing offices.

Postmaster: Send address changes to Illinois Issues, Subscription Division, P.O. Box 19243, Springfield, IL 62794-9243.

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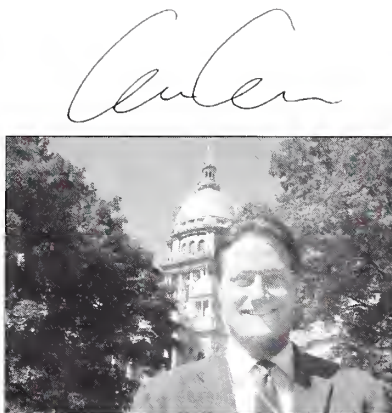
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Lawmakers could revisit the state's new fee structure. The courts certainly will

by Aaron Chambers

What's in a name? A tax by any other name hits just as hard.

Taxes provide dollars for everyday government expenses. Fees, at least in the traditional sense, provide funds for specific purposes. Then, in Illinois' current spending plan, there's the hybrid: fees that resemble taxes.

Gov. Rod Blagojevich's first budget contains numerous new and enhanced fees that are expected to generate more than \$300 million for the state during the fiscal year that began July 1. For instance, the fee to register a boat that is 16 feet to 26 feet in length was increased from \$20 to \$45, while the fee for replacing a lost boat registration decal was increased from \$1 to \$5.

It's too early to determine the full impact of all these fees on the General Revenue Fund, the state's main checking account, but it's clear the impact will be considerable. A majority of the new revenue will go directly into the General Revenue Fund. A slice of it is slated for accounts that cover administrative costs at regulatory agencies, which collect the fees. That move is designed to offset the state's obligation for those costs — and to provide a net gain for the central fund.

In addition, the law that established these fee increases gives the governor's budget director, John Filan, discretion

The budget office projects new revenues from all fees will total \$318.9 million.

The Economic and Fiscal Commission, the legislature's accounting arm, puts that figure at \$302 million.

to transfer to the General Revenue Fund a portion of the dollars in the special funds.

"I believe the intention is to have all of this go into the General Revenue Fund," says Dan Long, executive director of the Illinois Economic and Fiscal Commission, referring to the new revenue to be generated by the fees. "That's the plan. All this will go into GRF. That's the way it's supposed to work."

The administration defends the practice as appropriate and timely. Becky Carroll, spokeswoman for Blagojevich's budget office, says the additional fee-based revenue will help counter the deficit the administration blames on years of mismanagement.

"Illinois is one corporation, and everyone needs to find a way to

contribute to closing our deficit," she says. "For years on end, the taxpayers fronted the bill for many of the fees, permits or licenses that should have been picked up by the users of these permits and [licenses]. So, in some ways, we're recouping our costs to the taxpayers over the years.

"We're trying to make up for overspending of the past."

The move will push such state agencies as the Environmental Protection Agency toward fee-based operations. Carroll says: "When there are regulating agencies that can raise revenue to support their own operations, they should do so instead of relying on the taxpayers. And that's why we moved ahead with that."

The environmental agency will draw some \$55 million in new fee revenue, by the administration's estimate, but only \$22 million is earmarked for agency operations. The rest will flow to the General Revenue Fund.

The budget office projects new revenues from all fees will total \$318.9 million. The Economic and Fiscal Commission, the legislature's accounting arm, puts that figure at \$302 million.

Those who will end up paying the new fees, however, argue that it's illegal to fund ordinary state operations with fees attached to specific purposes.

In August, the city of Naperville

even refused to pay a new annual \$52,500 fee levied on its wastewater treatment facility. Previously, there was no charge for the permit.

The city, through area legislators, asked the attorney general's office for an opinion on the legality of the fee. But the office declined in light of pending litigation. So, late last month, the city council was scheduled to revisit the issue to decide whether to pay the fee, or pay it under protest.

"Government certainly can adopt revenue-generating measures. They're called taxes," says Dan Blondin, Naperville's city attorney. "But what they can't do is pretend they're adopting a fee — which would be related to the cost of administering the program — that is, in substance, really a tax. And that's what you have in this situation."

He says that under common law there must be a proportionality between the amount of a fee and the cost of a program.

Meanwhile, other municipalities are paying the fees, but registering their opposition in the hope they'll be eligible for refunds should courts invalidate the fees. "It seems like the state really doesn't understand economics," says Kenneth Alderson, executive director of the Illinois Municipal League. "As the state has suffered from income tax and sales tax revenue declines, local governments have suffered the same percentage of decline as the state. The local government's financial situation pretty much mirrors the state's financial situation."

The league is encouraging member communities across the state to pay under protest.

Some lawmakers are pleased with the fiscal shift. Sen. Jeff Schoenberg, an Evanston Democrat and vice chair of the Senate's two appropriations committees, says previous practice "failed to take into account the larger picture and how we need to restructure our spending priorities, especially given the current difficult economic times."

Others want to revisit the fee structure during the veto session scheduled for November.

One new fee in particular, the one charged for permits to dispose waste-

Opponents of the new fees are exploring several legal angles. One of the most popular revolves around the uniformity clause of the Illinois Constitution.

water in Illinois waterways, is the subject of two measures filed with the House clerk in August. Both target new fees for National Pollutant Discharge Elimination System permits. As authorized by the federal Clean Water Act, the permit program is aimed at controlling water pollution by regulating the sources of pollutants.

The first measure, sponsored by Rep. Bill Mitchell, a Forsyth Republican, would exempt municipalities and non-profits from paying this fee. He says he introduced the bill after a small church camp in DeWitt County was charged a \$1,500 fee for draining shower water into a waterway.

He notes that, per capita, smaller towns are hit with a larger burden than big ones. "A lot of my communities in my district are paying \$2, \$3, \$4 per citizen," he says. "They didn't budget for that. They didn't know about it."

The Mitchell bill would not exempt businesses, many of which have their own waste treatment facilities, from paying the fee. But the second bill, sponsored by Rep. William Grunloh, an Effingham Democrat, would do away with the fee altogether.

Other states also have raised fees at a dramatic rate, though apparently no national government organization is tracking whether those new dollars are supporting general operations.

Mandy Rafool, a budget analyst who administers the National Conference of State Legislatures' annual state tax and fee increase survey, says states raised fees by \$2.8 billion in fiscal year 2004. This figure does not include California,

Connecticut, New Hampshire or Pennsylvania, which had not reported to the conference as of mid-September. She says the survey does not ask states where the fee revenue is spent, but, "We suspect that the revenue is being used in the general fund."

In Illinois, opponents of the new fees are pushing several legal angles. One of the most popular revolves around the uniformity clause of the Illinois Constitution, which states: "In any law classifying the subjects or objects of non-property taxes or fees, the classes shall be reasonable and the subjects and objects within each class shall be taxed uniformly."

In 2001, the Illinois Supreme Court used the clause to invalidate imposition of "infrastructure fees" on wireless telecommunications providers. The law at issue, implemented in 1998, permits municipalities to impose the fee on telecom providers. But the high court held that because wireless companies do not maintain infrastructure on public rights of way, imposition of the fees on them was unreasonable and, therefore, impermissible under the uniformity clause.

More than 40 aggregate producers invoked the uniformity clause when they challenged the new wastewater disposal permit fee in August.

They argue in their lawsuit, filed in Sangamon County Circuit Court, that the fees for aggregate mines are "an arbitrary and excessive tax, in that they have no relation to the services rendered, and have been assessed to provide general revenue rather than compensation for services rendered or to pay for the [wastewater] permit program."

The producers calculate this one fee is expected to generate \$26 million, while the budget earmarked only \$6.4 million to the agency for all costs associated with clean water activities.

"On a cost-to-service basis, there's an extra \$20 million that's being collected here and it's clear it's going right into the General Revenue Fund," says Allan Poole, Naperville's public utilities director. "There's no hiding any of this. That's where it's going." □

Aaron Chambers can be reached at statehousebureau@aol.com.

BRIEFLY

On the wing **Saving the swamp metalmark**

For the first time in nearly seven decades, a delicate mahogany butterfly with a golden underside fed on the nectar of black-eyed Susans at Bluff Spring Fen Nature Preserve near Elgin.

Doug Taron, curator of biology for the Peggy Notebaert Nature Museum in Chicago, released 38 caterpillars into the fen last year, the first attempt to reintroduce the butterfly to Illinois, where it was believed to be extinct. The one-inch butterfly has black scalloping and a silver-green metallic band that outlines its angular fringed wings.

Taron saw two swamp metalmarks during their brief flight period from mid-July to mid-August, which he considers to be a success. "In other reintroductions, the first couple of years the numbers on site tend to be low," he says. "In three to four years we should start seeing larger numbers of butterflies."

The swamp metalmark, he says, is endangered because as a caterpillar it eats only swamp thistle, a plant exclusive to the rare ecosystem of fens. The fens tend to be springfed wetlands with alkaline and mineral-rich water, which sustains plants unique to them. The adult butterfly prefers white and



The swamp metalmark (Calephelis mutica) is considered endangered throughout most of its range, including Illinois. Until July 2003, the butterfly had not been sighted at Cook County's Bluff Spring Fen Nature Preserve since the 1930s.

yellow flowers, particularly black-eyed Susans.

With such a narrow diet, the swamp metalmark is exceptionally vulnerable to habitat destruction. It avoids overgrown, brushy vegetation. The Elgin fen had been used as a gravel quarry and dumping site for nearly half a century before it was restored and made a state nature preserve in 1987.

A \$100,000 BP Leader Award from the BP Foundation funds this reintroduction, which the Illinois Nature

Preserves Commission oversees.

Taron says there are other butterflies that need this sort of direct intervention to bring their populations back to strong numbers. He wants to expand the program with other species and other locations around the state.

But, for now, he has placed another group of caterpillars on the leaves of the swamp thistle, where it is hoped they will survive predators and an Illinois winter to perform their magical transformation. *Beverly Scobell*

Health insurance costs surge

A recent survey shows private health insurance premiums climbed by 14 percent in 2003, the largest boost since 1990. Few employers are opting to take away insurance benefits, but many are shifting the cost of the increase to workers, according to the survey conducted by the nonprofit Kaiser Family Foundation and Health Research and Educational Trust. The results of the annual poll were released last month.

This is the third straight year of double-digit increases, according to the survey, in which 2,808 randomly selected businesses were questioned between May and June. The survey included firms ranging in size from three to more than 300,000 employees.

Premiums employees pay for family coverage have climbed by 50 percent over the past three years to \$2,412. Employers pay on average 73 percent of the annual cost of family health insurance coverage, which is about \$9,000. Worker contributions for individual coverage were stable, but jumped 13 percent for family coverage.

"The combination of double-digit increases in health care costs and a weak economy means fewer jobs, lower wages, and higher health care payments for workers," stated Kaiser President Drew Altman in a printed release.

Meanwhile, a separate Kaiser report showed that a growing number of people erroneously believe that the federal Medicare program pays seniors' prescription drug costs.

GOV'S ACTION

Gov. Rod Blagojevich cut more than \$555 million from the capital budget for the fiscal year that began July 1. The General Assembly must decide during its November session whether to accept or overturn the changes.

The bulk of the cuts, \$401 million, account for funds spent in previous years that were reappropriated. Customarily, the state reappropriates the total amount of multiyear capital projects until they've been completed. Becky Carroll, spokeswoman for the budget office, says the governor wants to end that custom.

Separately, the governor said in his veto message he will cap fiscal year 2004 appropriations at \$450 million for so-called member initiatives — pet projects for individual lawmakers. Carroll says that total includes \$58.2 million in projects approved in the final months of fiscal year 2003.

Meanwhile, Blagojevich and Secretary of State Jesse White were trying as of mid-September to strike a compromise on \$49 million in cuts the governor made to White's budget.

Setting the stage for a contentious fall session, House Speaker Michael Madigan and Senate President Emil Jones Jr., both Chicago Democrats,

predicted lawmakers will override Blagojevich's proposed changes to a bill aimed at overhauling the state's death penalty system. At issue is language providing a new procedure for trying police officers accused of perjury.

And Attorney General Lisa Madigan urged lawmakers to override the governor's veto of a bill that would require all sex offenders to undergo psychological evaluation and treatment.

Blagojevich, who did approve a host of measures, completed his review of those sent to him in the spring. Here are the highlights of the latest actions.

Minimum wage

The state's minimum wage will increase from \$5.15 to \$6.50 an hour by 2005. This fulfills a Blagojevich campaign promise.

Predatory lending

The state attorney general has broader authority to take legal action against predatory lenders. This new law expands the types of loans the attorney general's office can investigate and increases fines that can be levied against predatory lenders.

Corruption

The position of inspector general in the secretary of state's office, created in response to corruption that flourished when George Ryan ran the office, will be permanent.

Domestic violence

Victims of domestic or sexual violence and their loved ones can take unpaid leave from their jobs to deal with personal matters.

Teenage drinking

People injured by alcohol- or drug-impaired minors have an express mechanism to sue whoever provided the drugs or alcohol or gave the teenagers a place to use them.

Hospital statistics

Hospitals must publicly report data on infections, staffing levels and the ratio of patients to nurses. The new law is geared to help people pick hospitals based on these indicators.

State symbol

Popcorn is now the official state snack food.

Aaron Chambers

Ethics package in negotiations

Gov. Blagojevich and legislative leaders pledge to work toward a compromise on ethics legislation. And they hope to reach agreement in time for the veto session, which is scheduled for November.

The governor made 23 pages of comments concerning the measure that was approved in the spring. He used his amendatory veto power to suggest vast changes, including the addition of an inspector general to investigate suspected wrongdoing and an ethics commission to hear complaints. He also would cap the amount of food or refreshments lawmakers could take from lobbyists or contractors at \$75 per day and ban the use of tax dollars on public service commercials that feature constitutional officers or legislators.

Leaders in the Illinois House, where the bill originated and where debate will begin in November, say their priority is getting a stronger ethics law on the books. "Mike's for strong ethics language," says Steve Brown, spokesman for House Speaker Michael Madigan. "The House is for strong ethics language. We'll get something on the books."

Lawmakers must either accept or override the governor's changes during the veto session. If they do not act, the bill will die.

The governor says he will push for passage of his version if a compromise isn't reached. He has threatened to call lawmakers into special session to deal with the issue if necessary.

There's a long tradition of political corruption in Illinois and such ethics measures are designed, in large part,

to counter public perception that policymakers are complacent about such activity. The ethics measure at issue in the current General Assembly was sent to the governor as the scandal surrounding former Gov. George Ryan's campaign and tenure as secretary of state was heating up in the courtroom.

But Ryan's former staff aren't the only state employees under scrutiny. Last summer, Rep. Lee Daniels, an Elmhurst Republican, stepped down as state GOP chair amid an investigation into whether his legislative staff did political work on state time. Separately, the feds reportedly have subpoenaed records from Madigan and Senate President Emil Jones Jr., both Chicago Democrats, and state Treasurer Judy Baar Topinka, who also is chair of the Illinois Republican Party.

Aaron Chambers

REPORTS

Poor education sentences more black men to prison

The Washington, D.C.-based Justice Policy Institute, a nonprofit think tank, finds that half of African-American males who drop out before high school graduation have prison records. Meanwhile, black men in their 30s are twice as likely to have prison records if they lack a bachelor's degree, the report shows.

The finding that 52 percent of African-American dropouts had prison records by their early 30s — compared to one in 10 white male dropouts — comes as the nation's schools face tight budgets. From 1977 to 1999, state and local expenditures on prisons grew by 946 percent, about 2.5 times the increase in spending on education.

"These findings clearly show that for low-education African-American men, prison has become a common life event, even more common than employment or military service," writes the report's author, Bruce Western of Princeton University.

"By cleaving off poor black men from the mainstream of American life, the prison boom has left us divided as a nation."

The report, which used U.S. Justice Department data, also finds that 68 percent of all inmates had not received a high school diploma and that educational opportunities in prisons are declining.

Parents forced to give up custody of mentally ill kids

An estimated 12,700 parents gave up custody in 2001 so their children could get treatment for mental illness, the U.S. General Accounting Office found in a study released this year. That figure includes Illinois children.

The problem stems in part from

insurance plans that provide less coverage for often costly mental health treatment.

"No parent or caregiver should face the unthinkable prospect of choosing between the custody of their child and accessing critically needed services," wrote Darcy Gruttadaro, the senior attorney for the Washington, D.C.-based National Alliance for the Mentally Ill.

The uniform child welfare information system is stalled

Most states, according to the U.S. General Accounting Office, are having trouble launching statewide child welfare data systems that were required by Congress in order to receive federal matching funds.

Illinois' child welfare department is one of the 31 state agencies that reported falling behind in creating the information systems. In fact, Illinois is among those states reporting the greatest lag time: 79 months.

The purposes of the uniform information system are to improve monitoring of children and families served by state child welfare agencies and to speed up investigations of abuse and neglect cases.

Forty-seven states are setting up statewide systems, but just five states have finished. States reported such difficulties as lack of funding and failure to shape a system that is in sync with child welfare organizations.

So far, \$2.4 billion has been spent on the data systems. Federal funds accounted for \$1.3 of that amount.

Nation is short on adult day care

Thousands more adult day care centers are needed, according to a medical school's study.

Only 3,407 adult day care centers exist, while researchers estimate 8,520 are needed nationwide. The centers relieve caregivers who provide assistance with basic needs, including feeding and toileting.

The study was conducted by the Winston-Salem, N.C.-based Wake Forest University School of Medicine. It was funded by the Princeton, N.J.-based Robert Wood Johnson Foundation.

The authors note that 26 percent of adult day care centers opened in the last five years, which points to growing demand. But centers aren't being opened fast enough to keep up.

The study estimates that 56 percent of the counties in the United States, 1,770, are underserved. Urban areas are most in need of centers.

Sprawl turns out to be fattening

Residents living in sprawling communities weigh more than their urban counterparts and have more health problems, according to a study released last month.

The study was funded by the Robert Wood Johnson Foundation, which focuses on health care issues.

The findings were published in the September issue of the *American Journal of Health Promotion*, published West Bloomfield, Mich.

Researchers used Centers for Disease Control and Prevention data on more than 200,000 people in 448 U.S. counties in major metropolitan areas. They rated the degree of sprawl in each county using U.S. Census and other federal data.

In sprawling developments, housing is separated from stores, restaurants and other businesses. The greater the degree of sprawl, the higher the chances that residents will be obese or have high blood pressure, according to the research.

The study reported that people who live in the most sprawling counties are likely to weigh six pounds more than those in more compact, urban locales. They also are more likely to be obese. The reason: People who live in sprawling communities drive more and walk less. In fact, they are less active overall.

The study accounted for such factors as age, gender and education.

Federal education law riles teachers' union

The National Education Association and several states are considering whether to sue the federal government for failing to fund requirements set forth in the No Child Left Behind law.

Reg Weaver, president of the National Education Association, says it was unclear as of mid-September whether NEA will file suit against the federal Department of Education on its own or in conjunction with individual states.

Meanwhile, David Shreve, senior education committee director for the National Conference of State Legislatures, says about a dozen states are considering joining the lawsuit.

The No Child Left Behind Act, which was approved by Congress and signed by President George W. Bush in early 2002, requires districts where schools don't meet test standards to allow students to transfer to other schools or to provide such services as after-school tutoring.

Further, all teachers must be rated

"highly qualified" by the 2005-06 school year, meaning, for instance, that a high school math and science teacher who had only earned a math degree would be required to pass a rigorous test in science or pass a state-mandated equivalent of a test.

The lawsuit will center on the NEA's assertion that the government violated the law's mandate that it fund the requirements in full.

However, U.S. Secretary of Education Rod Paige has insisted that enough money was allotted to achieve the law's goals. The federal department has refused further comment.

Though enough money was provided to Illinois to meet all requirements this year, Gail Lieberman, the Illinois State Board of Education's federal liaison, says it's unlikely there will be enough in future years unless funding is increased. Illinois received about \$778 million from the feds in fiscal year 2003 to implement the program.

The NEA, the nation's largest teachers union with 2.7 million members, also plans to pressure Congress to rewrite some provisions in the law, including the method for determining a school's success or failure at meeting standards.

David Turner, executive director of the Illinois Principals Association, says even schools recognized for excellence on a nationwide basis will eventually be considered failing by the law's standards. He says that's because the requirements build each year. "You're doomed to failure no matter how well you do," he says.

The Illinois State Board of Education has opted not to participate in the lawsuit, says Naomi Greene, the board's spokeswoman.

Molly Parker
Public Affairs Reporting graduate student
University of Illinois at Springfield

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LEARN AND SERVE Kids' volunteerism

Teachers go to work every school day knowing kids are learning lessons that aren't necessarily measured on a standardized test. Among those lessons is civic engagement.

"Testing is one tool, but there may be other ways to measure what kids are learning," says Joe Fatheree, a teacher at Effingham High School. And he has a pretty good idea of what some schools are accomplishing.

He and Craig Lindvahl, a teacher at Teutopolis, are working with about 60 of their schools' students to produce a video documenting projects throughout the state funded by the Learn and Serve America program.

Illinois received nearly \$1.8 million in federal dollars, which are matched by state dollars, to support local programs that involve students, from kindergarten to college, in community service activities. Six entities share the funds.

The largest chunk — \$864,363 — goes to the Illinois State Board of Education for school-based projects. The Illinois Department of Human Services and the Chicago YMCA, which run after-school programs, each received \$336,900, while the Chicago campus of the University of Illinois and Columbia College Chicago each got \$125,000 for civic engagement programs.

Those projects range from river restorations to teaching senior citizens how to use computers, to interviewing neighbors and writing local histories, to mentoring younger children.

"Kids around the state are doing some amazing things," says Fatheree, "and most people never hear about them. Mostly what people hear about education is bad news."

In Chicago, Ann O'Connell and her colleagues at William E. Dever School will build on last year's successful "A Day in the Life" project that involved about 100 fifth-grade students and 12 of their teachers. Career mentors such as a NASA astronaut, a marine biologist, a

Chicago alderman and a New York firefighter spoke to them. But the volunteer group of students also went into their Northwest Side Dunning neighborhood, which has 29 ethnic groups, to learn what people do for a living.

From their interviews and photographs they produced a power point presentation. They also designed, filmed and edited their own newscast, using production techniques learned from experts at the Broadcast Museum. In addition, the students interviewed senior citizens and, with advice from a college professor, learned how to do a historiography.

"The kids' grades went up in the area of research because of all the archival work they did. They learned interviewing techniques, and their vocabulary skills zoomed because of the enriched environment working with people in all types of careers," says O'Connell. "But the intergenerational aspect of the project was a real bonus. The kids developed a new compassion for senior citizens and valued what they had to say."

Though the majority of students participating in Learn and Serve projects are in mainstream education programs, a number of them are in specialty schools. In Peoria, 100 students at Jamieson School, who are classified as trainable mentally handicapped, help children in homeless shelters. The Jamieson students, ages 3 to 21, work with the Junior League to stuff sleeping bags made by league members. The students also fill backpacks and totebags with school supplies and toiletries they buy themselves. They paint the totebags, which are for children under 3, and inventory each bag and backpack to assure all contain the selected items.

"This project teaches them consumer skills, math concepts, art and health, and it gives them the opportunity to give back to the community and feel good about themselves for helping," says Laura Kelly, a teacher at Jamieson.

Ellen Broom guides the Learn and Serve program for six alternative

school sites in five counties in southern Illinois. Students who, for a variety of reasons, aren't succeeding in the classroom attend alternative schools. Broom's students work in the Cache River Wetlands planting trees, maintaining nature trails and collecting water samples for the Illinois State Water Survey.

In their third year, Broom is seeing changes in the students' behavior in the classroom and in the community. "The first year they complained about the work. But last year they began to write about the projects with excitement in their reflection journals, especially after working in the community helping with the cleanup after the May tornado."

While working shoulder-to-shoulder with professional biologists, AmeriCorps college students and other workers in the national preserve, the students have been able to see the opportunities for careers in environmental management.

Wayne Schimpff, who guides the Learn and Serve program at Von Steuben Metropolitan Science Center in Chicago, calls it "flower power." A horticulturist who was the state's and the city's first chief naturalist, he pioneered science-based service learning for Chicago's schools.

Schimpff's students just finished a three-year project in which they designed the landscaping and planted 3,500 flowers and native plants along the north branch of the Chicago River, where Mayor Richard Daley wants a river walk.

Schimpff knows service learning works, but that accomplishments are difficult to measure. "It is almost all anecdotal," he says. "I know some of my students get their first A ever. I know parents report to the principal the positive changes they see in their kids. But when kids tell me they want to be a part of this experience so much they use it as a reason to say no to sex, drugs and alcohol, that's the best statistic I need."

Beverly Scobell

BOOKSHELF

Press reissues a classic in early Illinois history

As part of its Shawnee Classics series, Southern Illinois University Press has issued a new edition of a pre-statehood Illinois history, *Kaskaskia Under the French Regime* by Natalia Maree Belting, with a new foreword by Carl J. Ekberg.

When she embarked on her doctoral thesis on early Illinois history, Natalia Maree Belting found the scope of the published works daunting. The standard works, including the encyclopedic volumes by Clarence Alvord and her mentor at the University of Illinois, Theodore Pease, were detailed and thorough. Still, they took a "top down" approach, focusing primarily on political, administrative and military history.

In the foreword to the new edition, Carl J. Ekberg writes that Belting blazed a new path in materials and method. "Ms. Belting had always been uneasy with traditional historical research and writing, finding much of it too pedantic, too constricted, and too little read."

As a result, this accessible volume has become a classic in colonial Illinois history. Belting's easy vernacular style alone would have distinguished it from the plodding tomes of its day, but she also focused on the unorthodox: the day-to-day life of early French settlers. This type of social history, now standard, was a new form in the 1940s.

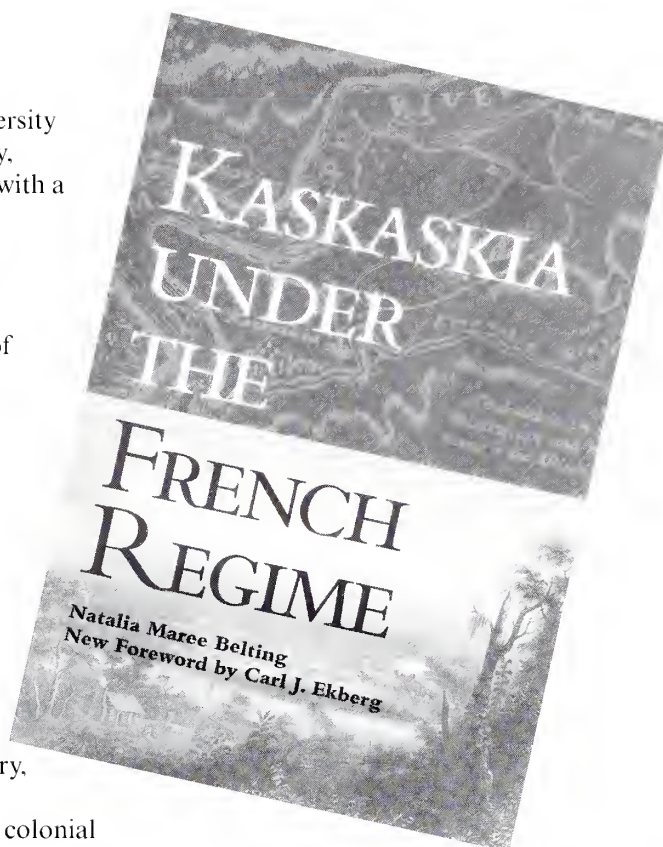
Much of Belting's research is based on a collection of French colonial records Alvord stumbled onto at the Randolph County Courthouse while researching his book. Behind a set of filing cabinets he had found some burlap sacks containing a veritable treasure of early French Illinois history: more than 3,000 documents, mostly the records of French notaries.

Belting launched herself into an exhaustive study of the manuscripts, totaling nearly 12,000 pages. Using these and other documents, including the only known census of French colonial Illinois, which was conducted in 1752, she creates a compelling panorama of the state's earliest European society.

Focusing on village life, social customs and household economy, she paints a picture of a vibrant and lively culture much different from its Puritanical contemporaries to the east.

Although she completed the monograph in 1940, World War II delayed its publication until 1948. With the death of Pease that year, Belting became the foremost expert on our state's colonial history. She retired from the University of Illinois in 1985.

Joseph Andrew Carrier



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PRESSBOX

The *New York Times* reported that public university students across the country are struggling to fill their class schedules. "At many public universities grappling with record budget cuts and enrollments at the same time, the classroom is no longer being spared."

The newspaper noted that the University of Illinois has had to cancel 1,000 classes across hundreds of subjects. Chester Gardner, vice president for academic affairs at the university, is quoted as saying he understands why students would be concerned. "The quality of education has been impacted, yet the cost is going up. You can't debate that. It's just a fact."

The *Christian Science Monitor* looked at Illinois' efforts to assist severely impoverished Pembroke Township and found skepticism among residents.

"I've been here all my life and I've seen them come and go with promises," said James Taylor, who runs a local newspaper. "We have hope and faith that the governor's on the up-and-up. More hope than faith."

The newspaper also reported Gov. Rod Blagojevich's decision to halt construction of a women's prison in the area. It quoted Taylor complaining that no blacks were working on the project anyway, though Pembroke is 90 percent black.

Mother Jones magazine produced a series of articles for its September/October issue that portrayed President George W. Bush's administration as gutting key sections of the federal Clean

Water and Clean Air acts, crippling the Superfund toxic waste cleanup program, failing to add a single species to the endangered species list and opening millions of acres of wilderness to logging, mining, and oil and gas drilling.

Among the consequences, the left-leaning magazine contends:

- 42 million additional tons of air pollutants will be released because of Clean Air Act modifications, costing an estimated \$115 million in health costs.
- 20 million acres of wetlands, lakes and streams will be opened to development under a proposal to end federal oversight of "isolated waters."
- An estimated 220 million acres of public land will be opened to logging, road building and mining.

The *Chicago Tribune* reported Illinois Republicans believe Blagojevich's administration held up member initiative funds to clean an abandoned fertilizer plant site out of spite.

Local officials had hoped to begin cleaning up the site this summer with a \$1 million state grant pushed by state Chenoa Republican Sen. Dan Rutherford. "But Republicans," the newspaper reports, "are now charging that the Blagojevich administration — even as it releases money to fund theaters, museums, tennis courts and other pet projects of legislators — is dragging its feet on approving the gypsum cleanup to punish GOP senators, including Rutherford, for fighting the governor's legislative agenda."

Locals in the Streator area expected to get a \$1 million grant this summer to begin cleanup of mounds of gypsum that leach acid into waterways.

"In recent weeks," *Tribune* reporter Christi Parsons writes, "Blagojevich has approved more than \$100 million in project requests of Democrats and even House Republicans who have largely supported his programs. By contrast, he has approved only \$7 million for projects sponsored by Senate Republicans, and much of that has been steered to a handful of members who have played along with him."

The governor's office told Parsons Senate Republican projects were not being singled out. Instead, they said, each project is being scrutinized.

The *St. Louis Post-Dispatch* reported that a state representative has a \$10,000 contract from a mine workers' union to lobby the federal government on behalf of Illinois coal.

State Rep. Dan Reitz, a Steeleville Democrat, told the *Post-Dispatch* he signed a one-year contract with the United Mine Workers of America, District 12, which represents 9,000 coal miners.

Reporter Kevin McDermott wrote that Reitz, a former coal miner, sees no conflict of interest. "Anything I do to promote the coal industry is good for Southern Illinois."

The *Chicago Sun-Times* reported that dozens of aides to lawmakers got raises as high as 20 percent, while Illinois workers on average got raises of just 1 percent.

"It's questionable whether average workers will have a paycheck at the end of the month," reporter Dave McKinney wrote, "but in Springfield we're talking about 10- to 20-percent increases or a couple extra thousand dollars in their pockets."

Raises, some in the double digits, went to 80 members of Senate President Emil Jones' staff, which had no pay increases last year. The *Chicago Democrat* gave his chief of staff, Courtney Nottage, a 10 percent raise, making his salary \$137,496. Others had raises as high as 20 percent.

Meanwhile, Senate Minority Leader Frank Watson, an Oswego Republican, gave his staff bonuses of \$1,400 to \$2,800 in July.

UPDATES:

- A new federal rule formalizes changes to the Clean Air Act of 1971, making it easier for older power plants to avoid installing expensive pollution controls when making modifications to existing facilities (see *Illinois Issues*, July/August, page 24).
- The U.S. Environmental Protection Agency also modified regulations to allow property owners to avoid cleaning up polychlorinated biphenyls prior to sale of the property (see April 2000, page 30).
- The Illinois Department of Public Health reported 14 nonfatal cases of West Nile virus as of mid-September, down from 211 cases and nine deaths by this time last year (see May, page 8; July/August, page 30).

Indexing crime

Most crimes are on the decline in Illinois, especially hate crimes.

There are notable exceptions, according to *Crime in Illinois 2002*, the Illinois State Police's annual uniform crime report. One is sex crimes, which rose 5.8 percent over 2001, with a 2.5 percent increase in arrests. There were 6,037 sexual assaults reported in 2002, one every hour and 27 minutes. Domestic crimes rose 3.4 percent, with 130,215 reported in 2002, one every four minutes and two seconds.

Hate crimes decreased dramatically, though. There were 199 incidents reported in 2002. This represents a 38.4 percent decrease from the previous year, when the frequency of hate crimes spiked dramatically following the September 11 attacks.

The motivation for hate crimes were most likely to be anti-black (33.2 percent), anti-male homosexual (19.6 percent), anti-Jewish (16.6 percent) and anti-white (16.6 percent). Nearly half, 46.1 percent, of hate crimes in 2002 were committed by whites.

Illinois law enforcement agencies track crime offenses that include murder, criminal sexual assault, robbery, aggravated assault/battery, burglary, theft, motor vehicle theft and arson, domestic violence, hate crimes, and crimes involving children.

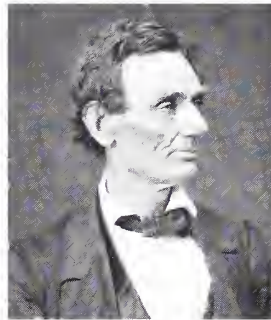
Here's a look at other statistics:

- Total serious crimes reported in 2002: 518,404.
- Average number per day: 1,420, or one every 61 seconds.
- Decrease from 2001: 1.5 percent.
- Decrease since 1998: 17.3 percent.
- Offenses per 100,000 people in 2002: 4,174.2.
- Arrests for serious offenses in 2002: 112,548.
- Decrease in arrests from 2001: 5.6 percent.
- Decrease in arrests from 1998: 9.9 percent.

Joseph Andrew Carrier

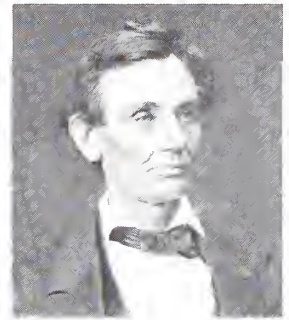
State Historical Society offers rare Lincoln prints

Archive-quality prints of two of the best-known photographs of Abraham Lincoln are now available to the public through the Illinois State Historical Society. Chicago photographer Alexander Hesler took the formal portraits on June 3, 1860. Because of the size of the negatives (8 x 10 inches), they are among the most eloquent and revealing photographs of our greatest president. The original negatives are in the Smithsonian but are in shards. According to Christie's auction house in New



York, the Society's plates are apparently the sole surviving set.

Matted prints of these portraits are \$150 apiece, plus tax (if applicable) and \$35 shipping and handling. They are also available in hand-crafted walnut frames for \$250 each, plus tax and \$45 shipping and



handling. Please place your orders with the Illinois State Historical Society, 210-1/2 S. 6th St., Suite 200, Springfield, IL 62701. Checks, money orders, and Visa or Mastercard credit cards may be used. Call 217-525-2781 for more information. Please allow four weeks for delivery.

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No easy job

Illinois' child welfare agency faces daunting challenges. But the new Children and Family Services director has fresh strategies. And even critics wish him success

by Stephanie Zimmermann

Photograph courtesy of the Illinois Department of Children and Family Services



New Children and Family Services Director Bryan Samuels says he has a soft heart for kids in tough spots, but that he also has a hard head.

When Bryan Samuels became director of the Illinois Department of Children and Family Services, he inherited an agency that looked to be on the upswing. The most hopeful sign: The number of state wards, which had reached 51,500 in 1997, has been sliced to some 20,000, thanks to a push for adoptions and subsidized guardianship.

That's not to say that watching over the state's most vulnerable children is getting easier. Or that it's less difficult to run an agency that draws heavy media attention every time something goes awry.

No, Samuels, who took over in April, faces plenty of challenges. For starters, the change in administration means the agency has lost valuable

institutional memory. And, while the number of wards has gone down, many of those who remain are older and have serious emotional or mental problems, something Samuels knows well after heading Gov. Rod Blagojevich's task force on that department last winter.

The children Samuels is responsible for often have more trouble in

school. Many have been bounced from foster home to foster home without expectation of permanency — a problem that is the focus of a lawsuit against Children and Family Services filed this year by Cook County Public Guardian Patrick Murphy.

Those children who have found adoptive parents aren't always getting the necessary support in their new families. The flip side of the late 1990s boom in adoptions and subsidized guardianships is that some of those families are now struggling to survive.

Some children have simply disappeared through agency neglect, a problem that hit the headlines before Samuels stepped in.

The new director also inherited Maryville Academy's recent troubles. Maryville, the department's largest residential services contractor, experienced a number of tragedies at its DesPlaines and Columbus/Chicago facilities, including the suicide of a 14-year-old girl.

In short, Samuels and his new management team have their work cut out for them. But even the agency's harshest critics hope they succeed, that fresh strategies turn out to be a positive force.

"I certainly think his heart is there," says Robert F. Harris, chief deputy public guardian for Cook County, a critic of the agency's pattern of putting kids in multiple foster placements. "So far, so good. I don't know — we'll see."

The skepticism is reasonable. Illinois is one of the few states that has a statewide, rather than a county-based, child welfare system. The agency, with a \$1.4 billion budget and 3,600 employees, is charged with keeping kids safe whether they live in the rolling hills of southern Illinois or the sprawling metropolis of greater Chicago.

In the late 1980s and early 1990s, that system was spinning out of control. Families were stressed like never before. Cocaine-addicted babies were showing up at hospitals. Drug abuse, domestic violence, poverty and mental illness — still major problems in Illinois — were

conspiring to tear families apart.

Social workers were overloaded, sometimes juggling as many as 100 cases at once. Horrific tales showed up in newspapers and on the evening news, most notably that of 3-year-old Joseph Wallace of Chicago, who was abused and ultimately hanged in 1993 by his mentally ill mother.

Amanda Wallace, a former ward of the state herself, had had numerous contacts with the department and the legal system before killing her child.

Mindful of such horrors, officials yanked many children from their homes who might have safely stayed with their families had they gotten some assistance. Under the glare of public scrutiny, the agency gave little thought to keeping families intact.

"We had a system that didn't have its eye on permanency," says Nancy Ronquillo, president and CEO of the Children's Home and Aid Society, which provides foster care and other services. "You saw kids in the foster care system for years and years and years."

Much of that changed under Samuel's predecessor, Jess McDonald, who led the agency as acting director for parts of 1990 and 1991, and as director from 1994 until last spring. Under his leadership, the state made huge strides in finding permanent homes for many wards. Some 30,500 wards of the state have been adopted or placed under subsidized guardianship over the past five years. Fewer kids were removed unnecessarily from their families. During that period, nearly 16,000 families were reunified. And, generally, children were kept safer.

"[The department] went from a state of paralysis and chaos to really leading the country," says Benjamin Wolf, associate legal director of the American Civil Liberties Union-Illinois. That group won a federal consent decree with Children and Family Services that outlines reforms that are still being worked on today, including limits on workloads for Children and Family Services investigators and stricter standards for taking children out of parental custody.

McDonald is credited with getting

The children Samuels is now responsible for have more trouble in school. Many have been bounced from foster home to foster home without expectation of permanency.

caseloads down to a more manageable level, and for using objective research to determine whether the agency is serving children well. McDonald, says Wolf, "was a very gifted and talented administrator who deserves all the awards and accolades."

When Gov. Blagojevich cleaned house at Children and Family Services last spring, replacing seasoned staffers, Samuels and the agency lost some of that institutional memory. Then again, Wolf says, "any new leadership gives you the opportunity to rethink things and try new approaches."

Samuels, a 37-year-old African-American who rose from a broken home on the South Side to earn degrees from two prestigious universities, brings a wealth of personal experience to the job. He was never a ward of the state, despite stories to the contrary. But he was the youngest of three boys whose father died when he was just 8 months old, and he knows firsthand how it feels when one's parent simply can't cope. His mother never abused or neglected him, he says, but she had substance abuse and mental health problems.

Realizing she couldn't care for her children, she enrolled them at the residential Glenwood School for Boys in far south suburban Glenwood when Bryan was in second grade. The average stay at the school was about two and a half years; Bryan stayed for 11 and a half.

“Passion for the job may get you out of bed in the morning, but when you walk into the office, a good administrator sets that aside,” Samuels says. “I try to keep the emotional part of me in check.”



Samuels will have to tackle some tough issues, including children who have disappeared through agency neglect.

At first he showed his anger and frustration, “acting out” like many of the kids who are now in Children and Family Services’ care. He had to repeat the second grade because school officials thought he couldn’t read. A turning point came in fifth grade when he was transferred to the cottage of two houseparents who had three biological white children and an adopted Hispanic son. In one year of life with this diverse and loving family, Samuels learned to trust and get along with a wide variety of people, a skill that would serve him well in later years.

Ultimately, he rallied and turned on the charm. “I was mature enough to know that I was going to be stuck there and I needed to take advantage of all the resources and support that was available to me at Glenwood.”

He lived at Glenwood until he graduated from high school, then went on to earn a bachelor’s degree in economics from Notre Dame University and a master’s degree in public policy from the University of Chicago. He spent a decade working in Illinois and six other states in the areas of health, human services and child welfare. Most recently, he worked as a juvenile justice and housing policy expert for Chicago Metropolis 2020, a nonprofit organization created by The Commercial Club of Chicago to promote regional

planning, and as an adjunct professor at the University of Chicago.

Samuels is a clean-shaven, bespectacled bachelor who wears neatly tailored clothes and precisely trimmed short hair. He smiles and laughs easily, but isn’t one to wise-crack or spout slogans that sound good but don’t do much for the children he’s supposed to look after. Child welfare folks use such words as deliberative, serious, bright, methodical and collaborative to describe him. “I think he’s very sincerely concerned about kids,” says Margaret Berglind, president of the Child Care Association of Illinois, an umbrella group of about 85 child-focused agencies.

Samuels brings a new set of eyes to the director’s job, which pays \$127,600 a year. But though he says he has a soft heart for kids in tough spots — especially the African-American children who make up about 67 percent of his agency’s wards — he adds that he also has a “hard head.”

“Passion for the job may get you out of bed in the morning, but when you walk into the office, a good administrator sets that aside,” he says. “I try to keep the emotional part of me in check.”

Samuels says his administrative style is to trust people to make good decisions. While trying to empower his staff, though, Samuels made one early miscalculation. When he took the job, he says, he was hoping to keep a low profile and let other managers handle the inevitable media calls. But that only made him seem inaccessible. He quickly found himself under siege, from Murphy — who filed that lawsuit on behalf of wards who had been moved to multiple placements — and from others upset that McDonald was out.

Not particularly politically connected, Samuels says he’s still getting used to people recognizing him in public, whether it’s the homeless guy selling *Streetwise* in his Hyde Park neighborhood or a fellow patron at a lunch establishment. “I can be walking down the street, and people will come up and ask me questions,” he says, somewhat amused by this situation. “You can’t hide in this job.”

The child welfare task force Samuels chaired last winter noted some key areas of concern, including the need for preventive services for the vast majority of at-risk families that are reported to the agency but in which no instances of abuse or neglect are substantiated. The task force also identified the need for ongoing monitoring of wards once they've been placed in the system.

Another big problem: wards who have been tossed from one placement to another because their situations weren't fully assessed in the beginning or because providers were ill-prepared to care for them.

And looking to the future, the task force recommended that Children and Family Services needs to better prepare and support its older wards as they reach young adulthood.

One of Samuel's own priorities is getting a better handle on each child who comes into the system so that a proper placement can be made right away. The agency is working to train people throughout the state to make more comprehensive assessments of each child's background, including his or her emotional and mental health needs.

This is key, say child welfare advocates. These days, children "don't come into foster care because they didn't get cookies at the end of the day," says Ronquillo, of the Children's Home and Aid Society. "These are kids [who] by definition have some very specific needs."

Samuels also wants to evaluate all of the state's foster care providers, group homes and other residential facilities to see which ones do better with different kinds of kids. That's in sharp contrast to the situation now, where a child comes into the system and pretty much goes to the next spot available. "It's completely luck of the draw. That's the way the system works today. That's the way it's been set up



When Samuels was named director of Children and Family Services, he already had experience leading the governor's task force on problems in the agency.

to work," Samuels says. The agencies have been warned to expect that things will be different when their current Children and Family Services contracts come up for renewal.

The issue of missing wards first gained attention nationally in 2002 when it was learned that a 5-year-old Florida girl that state was supposed to keep track of had been missing for more than a year.

Samuels set up a task force shortly after taking office, charging its members with finding as many of Illinois' missing wards as possible. So far, they found about 60 percent of the 409 children who had been classified as missing. The department also began a toll-free hotline to report the whereabouts of missing children: 1-866-503-0184. "This population is going to run, and they're going to run for a variety of reasons," Samuels says. The challenge, he says, is to find these children more quickly.

The department is pushing its caseworkers to file timely missing persons reports with the police in every case. "Simply by making this a priority and making it clear that execution does matter, you reduce the amount of time kids are missing," Samuels says.

Of course, all of these plans and strategies require employees. This past summer, Gov. Blagojevich approved

funding for about 270 positions at Children and Family Services, of which about 190 are considered "front-line" jobs. In the past, those positions had been mostly left vacant. But placing people has been painfully slow, in part because union rules require the positions to be posted internally first, and seniority is a factor. "The issue is not money. The issue is getting people through the process fast enough," Samuels says. "It's my number one priority. It's also the one thing I go to bed worrying about the most."

Wolf of the ACLU says it's too early to have a firm opinion, but his first impressions of Samuels have been favorable. He hopes Samuels will attack the agency's problems with

vigor. "He strikes me as a very bright guy," Wolf says. "The things that we've dealt with with him in detail, I've been very impressed."

Gaylord Gieseke, vice president of Voices for Illinois Children, a not-for-profit advocacy group, says she's encouraged by Samuels' seeming understanding that society needs to look after all of the developmental needs of children — social, emotional, mental, physical. "The precious years of childhood go on wherever that child is placed," Gieseke says. "We think of physical safety, but emotional safety is a critical, critical factor in human development."

"It is a huge challenge, no question about it," Gieseke says. "But I think this current administration has put together a team that has some real capacity to think about this in some new and different ways. There's no question in my mind that he's very serious about making changes for children." □

Stephanie Zimmermann is a reporter for the Chicago Sun-Times and an occasional contributor to this magazine. Her most recent piece for Illinois Issues, a profile of Eric Whitaker, the new director of the Department of Public Health, appeared in June.

BEYOND REFORM

The welfare of Illinois children
will require communication and cooperation

Guest Essay by Margaret Berglind

Photo illustration by Diana L. C. Nelson



Over the next four years, Illinois' child welfare system will be challenged to find permanent homes for 20,000 children. Success in meeting this challenge isn't guaranteed, but the cost of failure is great. Without intervention, these children — the oldest wards of the state, the most emotionally disturbed, the most abused — will become a lost generation. What is required to help them will be nothing short of a "revolution" in child welfare policies.

That revolution should begin with communication and cooperation among the agencies that are responsible

for child welfare. "Troubled youth" are in the care of the Department of Children and Family Services, certainly. But they also are in the custody of the Department of Corrections. They receive mental health care from the Department of Human Services, and assistance from special education, substance abuse and county probation programs.

This is a broad population that may be entangled in several service systems. Unfortunately, these systems often fail to pull together.

True, significant reforms in the

treatment of abused and neglected children have been under way for nearly a decade. Since 1996, the Child Care Association of Illinois and its nonprofit child welfare agency members have been national leaders in the move to secure permanent homes for these children. The nonprofit agencies, which provide care to 80 percent of Children and Family Services wards, have worked to find adoptive homes and permanent guardians, to place children in community settings whenever possible and to reunify children with their parents when that can safely be done.

In fact, the nonprofit agencies have helped to slash the number of kids in Children and Family Services custody from 51,331 in 1997. And the number of successful adoptions has risen since 1990. In that year, there were only 5,176 state-assisted adoptions of Children and Family Services wards, and the failure rate stood at 4 percent. Today, the nonprofit agencies have helped trigger 33,763 state-assisted adoptions, while the failure rate is 1.29 percent — an astonishing 128 percent drop.

But Illinois must now look beyond reform. Though the nonprofit agencies have helped to reduce Children and Family Services' caseload by more than 30,000, a core population with serious problems remains. They've experienced multiple foster home and institutional placements. They are runaways or have committed violent crimes. And they have been subjected to psychiatric hospitalization.

In short, they are the toughest of the tough to help. They require protective care, specialized treatments and special education, all of which require skilled personnel and enormous financial resources — resources that have not kept pace with the costs of providing such services.

The skilled staff needed by child welfare agencies is consistently in short supply. To compensate, existing child welfare professionals work harder and smarter. For example, the Child Care Association and its nonprofit agency members collect and track our own performance. We also collaborate with Children and Family Services to track performance across the entire system, enabling providers to assess the quality of care and the effectiveness of treatment. And we are working with that agency to develop programs to teach child welfare workers the new skills they need to serve the most troubled children.

These efforts require commitment to assure that the child welfare system moves toward providing the best care for Illinois children. Still, it is not enough.

It is not enough because the care of "troubled youth" extends beyond Children and Family Services case-

workers. It includes mental health coordinators, corrections officials, judges, probation officers and educators who place troubled children in residential care within and outside of Illinois.

Startling trends indicate the extent of the problems facing these children and the challenges facing those who care for them.

- A 1999 Office of Juvenile Justice and Delinquency Prevention report stresses that multiple factors correlate to high rates of delinquent behavior: exposure to violence, poor educational opportunities, childhood abuse and neglect, delinquent peer groups, drug and alcohol use.

- A Surgeon General's Report on Mental Health that same year notes that 75 percent of children who have serious emotional disturbances fail to receive specialty care, and the majority fail to receive any services at all.

- A study by the Child Care Association of Illinois and the Chapin Hall Center for Children shows that two-thirds of children who receive special education in voluntary agency programs are diagnosed with emotional disorders.

These complex factors — abuse and neglect, mental health problems, substance abuse and delinquent behavior — often are interrelated. Combined, they demand that child welfare reform extend beyond the traditional Children and Family Services domain of abuse and neglect. Comprehensive public policy on behalf of all troubled youth is required.

These complex client profiles challenge the child welfare, mental health and juvenile justice systems. But operational procedures work to undermine that care, too. Three state agencies most responsible for Illinois children — Children and Family Services, Human Services and Corrections — lack the necessary information to identify systemic problems. No single agency tracks, analyzes or shares data. And no single agency cares for every troubled child. This makes it difficult to assemble facts and analyze trends that could assure care exists and agencies respond — in short, that Illinois takes good care of its children.

A second barrier to success is the fragmentation of child welfare policy.

Illinois must now look beyond reform. Though the nonprofit agencies have helped to reduce Children and Family Services' caseload by more than 30,000, a core population with serious problems remains.

Each state department has its own set of procedures for treating children. Without integration of these policies — and a coordinated revenue stream — it is frequently difficult to obtain necessary services from multiple agencies.

Further, community services aren't consistently available in all Illinois counties for children with mental illness or histories of abuse. As a result, local county courts and school districts have been forced to send hundreds of Illinois children to other states for care.

To find permanent homes for abused and neglected children, to help juvenile offenders and those who are mentally ill, Illinois must launch a child welfare revolution. Gov. Rod Blagojevich's administration must put state agencies on the same policy page, and require those agencies to communicate with each other. The state must work with proven nonprofit child welfare agencies. And it must — most importantly — come up with the money necessary to cover the cost of caring for this state's troubled children. Otherwise — and this bears repeating — the most emotionally disturbed, the most abused, the most neglected will become a lost generation. □

Margaret Berglund is president and CEO of the Child Care Association of Illinois, an umbrella organization that represents not-for-profit agencies serving abused and neglected children.

A friendly force

The new Department of Corrections director is personable and practical. He's more comfortable looking for solutions than problems

by Daniel C. Vock

Photograph courtesy of the Decatur Herald & Review/Dennis Magee



While still sheriff, Roger Walker visited his old school, Durfee Magnet, the day it closed after more than 100 years of operation.

Roger Walker's appointment as director of the Illinois Department of Corrections means a significant shift in leadership style for an agency that may be in need of a mediator at the top.

Personable and practical, Walker is more comfortable looking for solutions than problems. He says he may not be an employee's best friend, but he wants his workers to know he listens. And he arrives at this post with no predetermined agenda.

In short, Roger Walker Jr. is

no Donald Snyder Jr., the outspoken and controversial disciplinarian who headed corrections under former Republican Gov. George Ryan. Snyder was more than willing to share his opinions on a wide variety of policy issues: a need for sentencing reform, treatment for drug offenders, and, in particular, tough new prison procedures.

Snyder may have been well-suited for his time at the helm of one of the state's largest, and most high-profile agencies. When he walked into the

job, he instituted several reforms — many hailed as long overdue — to give guards more control over prisons and gangs less. Yet throughout his tenure, he managed to anger the department's union workers, who claimed he was pompous or worse, especially when he and Ryan began closing facilities to deal with the state's budget crisis.

This administration will need someone who can calm those waters. Walker has a track record as a tough fiscal manager in tight budget times,

but he has proven that he also has the skill to convince employees and the public to sign on. And he's inclined to leave criminal justice policy to the governor's office, preferring instead to stick to the management details.

He came up through the ranks of the Macon County sheriff's department and was a year into his second term as the state's first black sheriff when Democratic Gov. Rod Blagojevich called on him. Walker's experience at making do with less in that office could help him weather the state's continuing budget storm.

For most of his tenure as sheriff, Walker haggled with the county board, sought out grants and cut costs to keep his department in the black. When those moves came up short, he laid off more than two dozen employees. Walker then decided the cuts were too harsh and successfully championed a sales tax increase to reverse them.

Now, his ability to connect with people — rank-and-file workers, administrators and the public — may turn out to be his greatest asset. After decades of growth, the size of the state's prison population has begun to stabilize. But the agency could face more budget cuts, as well as lingering tensions with its unionized workforce. And Walker will need every skill at his disposal to juggle these conflicting concerns. For now, though, longtime critics of the department seem willing to wait and see.

It's easy to see how Walker mastered the political circuit of fish fries and VFW halls in the small east central Illinois towns that surround Decatur, his home base. He's an imposing presence. His 6-foot frame and linebacker shoulders are hard to miss. Add a huge smile, a firm handshake and a sharp suit, and he commands attention.

But it's the personality of the former sheriff that leaves the biggest impression. He's a natural storyteller, relishing tales of his childhood in Decatur, and what it was like to grow up in a racially mixed neighborhood. He talks easily about his father playing guitar on the porch on Saturdays, about how he and his siblings would

trade their mother's home-baked desserts for toys from other kids in the neighborhood, about the minor league baseball games his family would watch on summer afternoons, and about the three decades he spent working his way up to the sheriff's office.

He uses this neighborly, conversational style even when he's driving home a point. Without being preachy, Walker's stories inevitably lead back to some lesson about the importance of fiscal responsibility, religious devotion, common sense or a solid reputation.

If these specific tales weren't practiced on the stump, the technique was.

Jerry Dawson, who worked with Walker for 26 years and took his place as Macon County sheriff, says Walker gained most of his storytelling skills in 1998 while running for Macon County sheriff. The primary contest was bitter, pitting two officers in the department against each other and opening rifts among local Democrats that remain today.

Walker, then a lieutenant and first-time candidate, faced a captain, Richard Bright, who had the backing of the three-term incumbent. Lee Holsapple, who was leaving the office to run for state representative, eventually lost to Republican Bill Mitchell in one of that year's most hotly contested legislative races.

Walker says he had expected Holsapple to stay out of the primary. Instead, Walker says, he boosted Bright's opportunities to look better to voters. Walker claims, for instance, that he was next in line to go to a training course with the Federal Bureau of Investigation, but Holsapple sent Bright.

Still, Walker handily defeated Bright by a 59-41 margin. He beat his Republican opponent, a former FBI agent, 60-40. Four years later, Walker ran unopposed.

And he used this popularity to effect change. Early this year, he persuaded Macon County voters to approve a new sales tax to support public safety, even without the help of the Democrats on the county board — and only months after

Roger Walker's ability to connect with people — rank-and-file workers, administrators and the public — may turn out to be his greatest asset.

Walker had asked the board to give him a pay raise so he could make more than his subordinates.

Walker told skeptical taxpayers that the hike would amount to about what they would spend on a fast-food meal every year, or an extra \$12.50 in taxes for anyone who spent as much as \$5,000 a year on taxable goods.

Dawson remembers talking to officials in other counties who had gotten similar tax hikes for law enforcement. They told him not to get discouraged when the initiative failed. "It never passes the first time," Dawson recalls hearing. In Macon County it was close, but the electorate endorsed the tax on the first try, 52 percent to 48 percent.

"I think that's directly related to [Walker's] personal relationship with voters," Dawson says.

Meanwhile, Blagojevich was looking for a new director for corrections. His first choice, Ernesto Velasco, resigned amid allegations that guards in Cook County Jail beat inmates when he headed the facility. While Blagojevich looked for a replacement, he turned to Snyder to head the agency, though the governor had vilified his leadership during the campaign.

Lawmakers and editorial boards were on Blagojevich to name more minorities and more downstate residents to his Cabinet. In May, the governor announced that the 54-year-old sheriff would head corrections.

Abby Ottenhoff, a Blagojevich

spokeswoman, says the governor was impressed by Walker's lengthy law enforcement experience, as well as his personality. It helps, she says, to have someone who is able to work with subordinates and with the governor's office. "His personality and his style make it much easier."

Dawson says his old friend prefers using common sense to deal with problems, and is straightforward with people when discussing them. And this director, Dawson adds, won't try to fix things that aren't broken.

Walker readily admits his new responsibilities are on a vastly different scale. Instead of overseeing 90 corrections officers in the county jail, he now commands 13,500, the second-highest number of employees in any state agency. And the budget totals almost \$1.3 billion a year. Even familiar problems, such as inmate diets, overcrowding or organizational structure, will carry far greater political implications in his new role.

So Walker spent his first months on the job meeting with subordinates and interest groups to learn about the agency. He brings a few ideas from his days in law enforcement, but, for now at least, he's leaving the big picture to the governor.

And the governor does have a few items on his agenda. He has promised to increase the number of parole agents, cut administrative staff, beef up front-line positions and reopen Sheridan Correctional Center in LaSalle County as a drug-treatment facility.

Walker says he'll institute these changes with the approach he used in the sheriff's department. "I consider myself a baseball manager. My job is to put the best team out on the field every day, regardless of whether I like this guy or not," he says.

In Little League, Walker continues, some children want to play first base because their heroes play first base, even if the kids are better suited to playing shortstop or third base. "That kid's going to play shortstop or third base with me," he stresses. "Forget about first base, you're going there."

In fact, finding the right people for

the right positions may prove to be one of Walker's toughest challenges. Early retirement took a heavy toll on the agency, with 2,100 corrections employees taking advantage of a measure approved last year that was designed to save state dollars.

That initiative thinned the ranks of upper-level managers who brought a lot of institutional knowledge to corrections, says James "Chip" Coldren Jr., president of the John Howard Association/For Prison Reform, an independent prison monitoring group.

Coldren points to this "brain drain" as one of the biggest obstacles Walker faces as he takes the helm. "What little senior management is left," Coldren offers, "he needs to listen to."

Coldren believes staff reductions have not yet made corrections workers' jobs more dangerous. But Henry Bayer, executive director of the American Federation of State, County and Municipal Employees Council 31, which represents those workers, says there are reasons to be concerned.

The union leader is hopeful that Walker will use his position within the administration to steer more funds to the prison system. He says he's encouraged by Walker's leadership in proposing and promoting the referendum in Macon County. He wants Walker to go to bat for the Department of Corrections, too.

"The question is how he plays his hand. How aggressive is he going to be with the governor's office? The department can't go on forever with a shortage of staff without compromising security or its ability to run programs," Bayer says.

Primarily, the union wants Blagojevich and Walker to open up almost all of the prisons that were shut down last year. The governor has announced plans to bring several of them back on line, but the process may take years. None are back in service yet.

Bayer is especially concerned about having enough maximum security beds following the closure of Joliet Correctional Center in 2002. He maintains the department is dealing

with the loss of the 737 beds by reclassifying prisoners into less dangerous categories, meaning they can be housed in lower security facilities. Illinois, he adds, already is one of only a few states that allows some inmates to share cells in maximum security facilities.

But the state's financial situation and a slight decline in the number of inmates strengthen the governor's argument against new facilities.

Between fiscal year 1992 and fiscal year 2002, the state's prison population increased by 41 percent, following policy moves to get tough on crime. As a result, the state has been building, on average, one new prison a year for more than a decade.

Yet, while prison populations continue to rise across the nation, the average number of inmates in Illinois fell by 3.9 percent between 2001 and 2002, according to a federal study released this summer. The number of women in Illinois prisons — until recently the fastest-growing segment of the state's inmate population — also has dropped. Today, Illinois houses roughly 43,000 inmates in 26 adult prisons.

Nine states in all, including California, New York and Texas, are experiencing a drop in prison populations. This comes as a surprise, and surely a relief, to some correctional experts. But Walker, who started his law enforcement career as a patrolman in 1971, attributes the drop to a decade-long decline in violent crimes across the nation. He says rehabilitation programs may finally be taking hold.

Agency spokesman Sergio Molina suggests that one reason for the small drop could be more aggressive monitoring of parolees in Illinois. Under former Gov. Ryan, the department doubled the number of parole agents and made sure all of them were working in the field. Blagojevich, Molina says, wants to double the number again, eventually reaching 740, and add drug treatment programs aimed at keeping the prison population down.

Still, Coldren of the John Howard Association maintains it's too early to determine why the prison population

in Illinois has plateaued.

One concrete effect, though, is that it will allow the state to slow its prison construction program, which would also slow state spending. The department's budget grew by 23 percent in Ryan's first three years, a time when the prison population was on the rise. The agency's budget peaked at \$1.303 billion in fiscal year '02, up from \$867.1 million in fiscal year '97. This year the budget is at \$1.27 billion.

The slight dip in the prison population and Illinois' deep budget hole mean the state is no longer rushing to build prisons. Indeed, agency officials predict the state can go five years without building another.

Already, work has been halted on a women's prison in Hopkins Park near Kankakee and on a maximum security facility in Grayville in southeastern Illinois. Blagojevich wants to spend the dollars instead on infrastructure improvements in those communities.

Construction was completed, though, on the maximum security prison in Thompson, as well as a reception and classification facility in Joliet and a youth center in Rushville. (The system includes eight youth facilities and eight halfway houses.)

Besides the Joliet prison, the state has closed a youth facility, a work camp and halfway houses in four cities.

But Blagojevich's plans to reopen Sheridan would add 1,600 beds. Two-thirds of those will be reserved for inmates who need treatment for drug addictions.

The department hopes to open the second half of Lawrence Correctional Center, which opened in 2001 but hasn't been filled to capacity. This move is expected make another 1,000 beds



Walker visited Springfield before he was named director of the Department of Corrections.

available. And the agency expects to reopen a boot camp in Greene County and a work camp in Hannah City in the next fiscal year.

Bringing these facilities back on line should help the department keep its prison capacity at 158 percent — 100 percent is one prisoner per cell.

For the first time in two years, the agency is hiring new front-line correctional officers. Roughly 400 new officers are expected to join the agency this month, Molina says.

The agency is slated to hire 60 new parole agents this year, too, as part of Blagojevich's "Operation Spotlight," which is designed to tighten parole supervision. Walker argues that cracking down on parole violations could work well with the department's drug treatment plans.

"One of the things I told [Blagojevich] when I had an interview was I thought too many guys who were going and committing crimes that had drug habits going in would come out with the same habits," Walker says.

"It's a good initiative for Sheridan to have a substance abuse place that will probably take in a lot more dangerous offenders than what we've been accustomed to."

Largely, though, Walker shies from larger policy questions. He says sentencing issues — which inevitably

affect prison populations — are between judges and defendants. At any rate, many of the biggest policy changes at corrections were under way before he stepped in.

He does want resources for his department, but he expects to have to do more with less. Bayer of AFSCME argues morale in the department is low — an assertion Walker and Coldren dispute — because of the loss of senior staff and lingering animosity

over confrontations between the Ryan Administration and the union.

Ryan and Snyder angered corrections officers by shuttering several facilities, by proposing to privatize some food services and by suggesting workers should renegotiate pay raises or take voluntary days off to avoid layoffs. The union went to court to block the privatization move and refused to revisit its contract.

Employees marched by the thousands on the Capitol last spring to oppose Ryan's moves. Blagojevich tapped that anger on the campaign trail by promising to reopen prisons and work camps and vowing not to hire private vendors to prepare prison food. He signed a law this summer prohibiting privatization.

Having an ally at the governor's desk won't guarantee good times for the union, though. Blagojevich has already irked labor for the way he reshuffled the agency's structure. He eliminated all captain positions, which saved the state \$17.3 million this year.

In a conciliatory move, most captains were allowed to take lower paying jobs in the department, but that means more than 80 captains became lieutenants, while, according to the union, 450 union members are qualified for promotions to lieutenant.

Another sore point for the union is



Walker marched in the 2002 Labor Day parade in Decatur.

Blagojevich's decision not to reopen some of the facilities he said he would, including the youth facility at Valley View in St. Charles and a work camp in Paris in east central Illinois. The Democrat even vetoed money lawmakers set aside to put the Paris work camp back in business.

Walker wasn't on the job when many of these decisions were made. But Bayer clearly hopes he will aid labor's cause. "Part of his job is to be an advocate within the administration. He needs to show the officers he cares about them, that he's not making arbitrary policies."

But Walker is no longer his own boss. He can't ask voters directly for more money for prisons. He reports to Blagojevich, who opposes tax increases.

Walker's years of wrestling with budget problems in the Decatur area did leave him with an understanding of how to keep expenses down. "Believe it or not, and we've done it for years and years in the past, but state and local governments have always been able to operate with less."

In Macon County, Walker cut costs by stopping hot breakfasts for inmates in the county jail. Instead of eating bacon and eggs in the morning, prisoners got cereal, Danish pastry, sandwiches or other cold meals. Their calorie intake dropped from 2,400 a day

to 1,800 — still a legally permissible level under state standards — and the county saved money because it didn't have to pay workers to serve breakfast. Instead, the workers prepared the morning meal after dinner.

Walker also reduced expenses by introducing a new schedule for many of his employees. Rather than working five days with two days off, officers would work six days, get two off, work six more and get three off. It's a plan that worked so well the Decatur Police Department started asking him about it, Walker says.

But when Walker suggested applying the schedules to officers at the state department, he says, labor leaders balked.

"The union is different here," Walker observes. "The police unions, they often have a tendency to listen. They'll even try things on a trial basis. I find that up here it's extremely difficult to even get them to try things, even on a trial basis. So I would probably opt for compromise." But the compromise can only come, he adds, if the union extends a counteroffer.

Walker sees his solution as a practical one. Workers may not get every weekend off, but all of them would get every third weekend off. Plus, the arrangement would be better suited to deal with employees who call in sick or go on

vacation, he argues. It also means employees would be scheduled for about three more days off a year compared to a normal weekly arrangement.

Bayer says simply that the director never convinced him that depriving senior employees of their weekends off would help the budget situation or solve staffing problems.

In the grand scheme of things, the scheduling issue may not amount to much, but it highlights the challenges Walker faces in trying to employ his practical, personable leadership style in his new position.

Dawson is convinced his old friend has what it takes to run the corrections agency. "He has pretty much the exact same problems on a much larger scale: unions, overcrowding and the budget." Still, Bayer wants to see results before he's convinced. "You can be the nicest guy in the world," he says, "but if the prisons aren't secure because you don't have the resources, you know, you're going to have problems."

For his part, Walker acknowledges his popularity can only take him so far. He knows it's only one tool he can use in his role as an administrator. "I don't expect every corrections officer to say, 'Roger Walker is a great guy.'" □

Daniel C. Vock is the Statehouse bureau chief for the Chicago Daily Law Bulletin.

Scripts for the poor

Psychotropic meds are among the state's top drug buys. They're expensive, but experts say they save money in the long run

by Aaron Chambers

The state pays a premium to purchase mind-altering drugs for mentally ill Illinoisans, as officials look for ways to trim overall spending. In fact, 14 percent of the state's annual Medicaid prescription budget covers the costs of these so-called psychotropic medicines, including antipsychotic and anti-depressant drugs. And the cost keeps rising, putting more pressure behind the surge in state Medicaid spending.

Though the sluggish economy is squeezing most government expenditures, the joint state/federal health care program for the poor remains one of the fastest-growing areas of spending in Illinois and other states. The prescription drug component of Medicaid has grown about 15 percent annually in recent years. State spending on antipsychotic drugs alone reached \$144 million in fiscal year 2002.

Yet psychiatric experts and policymakers argue that appropriate use of psychotropic drugs can help save taxpayer dollars in the long run.

"As long as they're being properly prescribed, and I have no reason to believe that they're not, the growth in psychotropics is a good trend," says state

Sen. Steve Rauschenberger of Elgin, chief budget negotiator for his chamber's Republican caucus. "It means less institutionalization and better quality of life for the people taking them, and an opportunity for some of those people to normalize.

"Sometimes with the intervention of good therapy and the psychotropics, people end up being able to be productive citizens again, and not end up as long-term Medicaid clients, or homeless."

Experts say the true extent of the problem is underappreciated. At least 5 percent to 7 percent of adults suffer from some form of serious mental illness, according to numerous national studies. The most recent study was compiled at the request of President George W. Bush. The President's New Freedom Commission on Mental Health noted in May that mental illness ranks first among illnesses that cause disability in this

country, though it remains underrecognized as a public health burden.

A study issued by former President Bill Clinton's administration, "Mental Health: A Report of the Surgeon General," urged citizens to seek help if they detect symptoms of a mental disorder. That report also argued the efficacy of mental health treatments is well documented and that a range of treatments exists for most mental disorders.

A disproportionate share of this country's mentally ill population receives health care through Medicaid. That's because the mentally ill are most often disabled and are more likely to be unemployed. Matt Werner, who analyzes medical programs at the Illinois Department of Public Aid, says Medicaid has always covered a high number of people who receive treatment for mental illness "because those are the kind of people that fall down to our safety net."

Many of them require psychotropic medicines as part of their treatment. As a result, four of the top 10 prescriptions paid for with Medicaid dollars in calendar year 2002, the most recent data available from public aid, were for psychotropic drugs. Three of them were antipsychotic drugs

For more information

See these two reports on the Web for background on mental illness and mental health policy:

- "Mental Health: A Report of the Surgeon General"
www.surgeongeneral.gov/library/mentalhealth/home.html
- Report of the President's New Freedom Commission on Mental Health
www.mentalhealthcommission.gov/reports/reports.htm

Consumers appear to be demanding more of them. In fact, in recent years, pharmaceutical companies have begun advertising their products directly to consumers.

and one was an antidepressant. Zyprexa, a drug designed to counter the effects of schizophrenia, topped the list. Risperdal and Seroquel, other antipsychotics, placed third and fifth, respectively. Zoloft, an antidepressant, placed seventh.

The remaining drugs on the top 10 list, in descending order, were gastric acid reducer Prevacid, cholesterol reducer Lipitor, anticonvulsant and mood stabilizer Depakote, antihistamine Claritin, anti-inflammatory Celebrex and platelet aggregation inhibitor Plavix.

Prescriptions for psychotropics, generally covering a 30-day supply, have increased among all age groups of Medicaid clients.

The state paid \$7.06 million for 46,019 prescriptions of the antipsychotic Risperdal for patients age 18 and younger in 2002, for instance. That's up from \$5.9 million for 41,752 prescriptions in 2001 and \$4.6 million for 34,686 prescriptions in 2000.

The top drug expenditure for Medicaid clients age 19 to 64 was the antipsychotic Zyprexa. The state spent \$47.07 million on 153,254 prescriptions for this drug in 2002, up from \$36.6 million for 132,398 prescriptions in 2001 and \$30.02 million for 113,143 prescriptions in 2000.

For Medicaid clients 65 and older, Zyprexa was fourth in cost, behind Prevacid, Lipitor and Celebrex. The

state paid \$12.6 million for 66,168 prescriptions of Zyprexa in 2002, up from \$8.9 million for 48,008 prescriptions in 2001 and \$7 million for 35,740 prescriptions in 2000.

In most cases, the federal government reimburses Illinois for half of its Medicaid expenditures.

"In the last four or five years, antipsychotics have always been a big one," says the public aid department's Werner. "A lot of that has to do with those drugs that have just been developed."

Psychotropic drugs are classified as atypical or conventional. There are no generic alternatives for most atypical drugs such as Zyprexa, Risperdal and Seroquel, and that makes these newer drugs more expensive. The atypicals also are widely believed to be more effective, having minimal side effects, than older drugs.

Further, consumers appear to be demanding more of them. In fact, in recent years, pharmaceutical companies have begun advertising their products directly to consumers.

Jan Holcomb, chief executive officer of the Mental Health Association in Illinois, says consumers, in turn, are recognizing their symptoms of mental illness and better describing those symptoms. As a result, she says, doctors are making more accurate diagnoses.

"You now see talk about the symptoms of depression on TV, and I think a lot of people are saying, 'Wow, that's me. I didn't know what that was.' They know that they haven't felt well, but they're unable to identify what they're experiencing as depression."

In addition, the General Assembly blocked the public aid department, which administers most Medicaid programs, from restricting spending on antipsychotic drugs. A law passed last year and signed by former Gov. George Ryan prevents the department from requiring that patients to get prior approval for specific antipsychotic drugs on a preferred drug list unless the department details how such restrictions would affect patient care.

Holcomb of the Mental Health Association would like an even stronger state law that flatly precludes the department from putting antipsychotics on a preferred list. That law, she says, should also apply to antidepressants.

"Mental health medications are so particular to a person's physical make-up. There really needs to be open access because what works for one person may not work or may even cause side effects in another person," she says. "We are very much working to maintain an open [system] where all the drugs are available for a physician to prescribe as they see fit, given the patient's condition and needs."

She suspects the department could quickly issue a report as required, thereby restricting the flow of atypical antipsychotic drugs. "We're fearful that the train is beginning to leave the station and that there's going to be restrictions," she says.

Werner counters that no such study is in the works. "We don't have any report. We haven't developed any report. We haven't done any preparation to try to put those [drugs] on prior approval or a preferred drug list under that part of the law," he says. "It would take a lot of work to do something like that. And I haven't even heard rumblings of the department looking that way for savings."

Werner adds that the preferred drug lists are not designed to limit patient care. He says drugs included on such lists are those for which the state gets the best manufacturer rebates. "We're just saying [with the state's list] that we've worked this out with manufacturers and we have a preference for certain lists of drugs," he says. "It is a control measure, but it is not meant to interfere with the medical treatment of the patient. We're not denying them a better drug. We're saying we prefer the ones for which we have an agreement with the manufacturer to lower the price."

And for state officials, cost is at the heart of this issue. They argue that increased use of more effective psychotropic drugs ends up being cheaper.

Dr. Christopher Fichtner, a

Top 10 Prescription Drugs

State spending on mind-altering drugs for the mentally ill increased dramatically in recent years. Here are the top 10 prescription drugs paid for with Medicaid dollars, in descending order of total cost, and how those drugs ranked within three age groups. The data, provided by the Illinois Department of Public Aid, is for calendar year 2002. "Scripts" is industry shorthand for prescriptions, and the cost figures are in millions.

	All age groups		18 and under		19 to 64		65 and older	
	Scripts	Cost	Scripts	Cost	Scripts	Cost	Scripts	Cost
Zyprexa an antipsychotic	234,367	\$62.60	14,945	\$2.90	153,254	\$47.00	66,168	\$12.60
Prevacid a gastric acid reducer	447,769	\$53.70	9,495	\$1.20	225,678	\$27.40	212,596	\$25.10
Risperdal an antipsychotic	286,602	\$45.90	46,019	\$7.06	153,737	\$28.50	86,846	\$10.30
Lipitor a cholesterol reducer	374,957	\$27.40	420	\$0.031	143,447	\$10.90	231,090	\$16.50
Seroquel an antipsychotic	126,863	\$24.40	14,244	\$2.50	89,143	\$19.00	23,476	\$2.90
Depakote an anticonvulsant	194,055	\$20.20	24,943	\$1.90	145,719	\$16.40	23,393	\$1.80
Zoloft an antidepressant	237,399	\$16.70	23,311	\$1.60	128,661	\$9.50	85,427	\$5.50
Claritin an antihistamine	226,479	\$16.50	97,595	\$6.80	87,821	\$6.60	41,063	\$3.09
Celebrex an anti-inflammatory	184,754	\$15.40	101	\$0.0099	13,441	\$1.30	171,212	\$14.08
Plavix a platelet aggregation inhibitor	150,407	\$15.30	42	\$0.0039	35,296	\$3.70	115,069	\$11.60
TOTAL	2,463,652	\$298.10	231,115	\$24.00	1,176,197	\$170	1,056,340	\$103.47

physician and the director of the mental health division at the state Department of Human Services, cites research that shows new, more expensive drugs are actually cost effective because they help keep people out of institutional care. Fichtner, who oversees the state's nine mental hospitals and the sex offender management program, has co-authored articles on pharmacoeconomics, the study of drug spending and associated cost savings.

Fichtner stresses, however, that to be effective drugs must be used in conjunction with a complete "system of care." He says treatment providers strive for more medications that can be dosed less frequently. And that a patient's treatment structure should include adequate follow-up appointments with a psychiatrist, and other

practices such as psychiatric rehabilitation and job or social skills training to help patients recognize when and how to ask for help.

"It's not just important to prescribe the right medication and to make sure it's given the right number of times daily, and to have the right kind of follow-up and monitoring, but also to be able to intervene early when it becomes apparent that the patient needs additional help from a medication standpoint," he says. "When we put all those pieces into place, I think we can be enormously effective in keeping patients out of the hospital."

Along those lines, the Bush Administration's commission concluded that the failings of the mental health system stem from the way in which the nation's community-based mental health system evolved.

"In short, the nation must replace unnecessary institutional care with efficient, effective community services that people can count on," the commissioners wrote. "It needs to integrate programs that are fragmented across levels of government and among many agencies."

Meanwhile, Werner expects to see drug companies continue to develop new and better medication for treating mental illness. "They are staggering in their dollar amounts, and it's staggering to think how much it goes up each year, but in a lot of cases we're keeping people out of institutions — a higher cost," he says. "There is a benefit to it. When you look at these numbers, you have to look at them from the perspective of what's the alternative if we weren't buying these medications." □

ECONOMIC BLUEPRINT

The compact between government and the private sector requires continual maintenance as economic factors change

Guest Essay by Douglas L. Whitley

“You cannot be for job creation and be against business.”

So said Gov. Rod Blagojevich in his inaugural address. “It’s the economy, stupid” was the basis of Bill Clinton’s campaign for president, and is now a mantra for political leaders who care about jobs.

It behooves us to note the wisdom in these quotations because they capture the essence of the public-private compact. Government needs a prosperous private sector to provide jobs and tax revenue. The business community is dependent upon government to make decisions that will stimulate the economy and help grow their businesses.

This delicate balance requires continual maintenance as economic factors change. Unfortunately, the current political perception is that more and more of the cost of financing government can be thrust upon employers with no economic or political consequence. That perception has no basis in fact. To succeed in a price-competitive market, companies constantly measure and evaluate the cost of doing business and act accordingly.

Thus, I believe that our political leaders need to acquire a better understanding of the economics of doing business. I suggest this nine-point blueprint to help them produce a better business climate in Illinois.

Education An educated and job-ready workforce is the single greatest expectation employers have

of government. This is because human capital is our most important asset. An adequately financed quality education should be available to all children throughout the state.

Business embraces the philosophy that no child should be left behind because to accept an undereducated population is to diminish the size and strength of the labor pool. It is unacceptable to ignore student dropout rates and poor test results because the subsequent societal costs are high.

Measurement and accountability are just as critical to the quality of the state’s educational system as they are to a widget maker’s productivity.

Government should partner with employers to ensure that the educational curriculum is contemporary and relevant at all grade levels. Job training and retraining programs should be readily available so the workforce is prepared to learn and adapt as the needs of employers change.

Sustaining high quality research should be an ongoing state priority because it is the economic engine, the incubator of future economic growth. Failure to encourage and nurture research and development, whether by universities, national laboratories or private enterprise, is exceedingly shortsighted.

Infrastructure Transportation is a cornerstone of Illinois’ economy. Illinois’ location in the heart of the nation is one of the state’s great assets.

Dominant portions of the nation’s air, water, railroad, interstate highway and cyber networks converge here.

The business community is dependent upon significant and continued government investment in building and modernizing all forms of public infrastructure. Without this investment, business cannot move goods and services, construct new facilities or get employees to and from work expeditiously.

As the steward of the people’s physical assets, the Blagojevich Administration must restore the integrity of the state’s road funds and resist the temptation to divert revenue streams devoted to capital investment to pay daily operating expenses. Failure to upgrade, modernize and enhance the state’s transportation systems and other infrastructure investments will result in deterioration of existing facilities and erosion of capacity. This will adversely affect our economy.

Taxes Illinois business paid more than 48 percent of the total amount of state and local taxes collected in 2002, according to a report commissioned by the Illinois State Chamber of Commerce. This contribution has steadily grown over the past decade and far exceeds the 41 percent national average for business tax burden in other states. Just since 1999, the total state and local tax burden for Illinois business has increased by 20 percent. This year, the state increased business taxes and fees, including unemployment insurance,



Dixon-based Raynor Worldwide manufactures and markets residential garage doors and openers, as well as commercial sectional, rolling, fire and traffic doors and commercial operators. It has 650 authorized dealers. Executive Vice President Ray Neisewander III says the family-owned company is still assessing the impact of new state fees. Neisewander is chairman of the board of the Illinois State Chamber of Commerce.

by another \$1.3 billion. It's a bad trend.

Business desires a tax code that is stable, predictable, equitable, easily administered and resistant to targeting the cost of production. The most conspicuous problems with the Illinois tax structure are an overreliance upon real estate taxes to fund education and the perpetuation of a property assessment system in Cook County that is biased in favor of residential property owners. In these instances, business taxpayers, including farmers, are expected to carry the heaviest tax load.

In short, the state's tax structure is out of balance, and continued hikes in business taxes alone will not satisfy the state's fundamental obligations to education, health care and public employee pensions.

Worker's compensation Illinois' worker's compensation system is a perennially troubling issue for this state's employers. Reforms that would put employee insurance costs on par with neighboring states are long overdue. It is painfully obvious to multistate employers that employee compensation costs in Illinois are dramatically out of line with those paid in other states.

Health care Employers expect quality, accessible and affordable health care for their workers and their families. Yet health care costs for employers continue to skyrocket, imposing severe economic challenges to Illinois business.

The cost of medical malpractice insurance has prematurely and inappropriately forced many Illinois doctors to cease doing business. Illinois has been added to the list of "crisis" states by the American Medical Association. High-risk practices such as obstetrics, gynecology and neurology have been particularly hard hit. Physicians are leaving the profession. This, in turn, has an impact on hospital service capabilities. Reportedly, some hospitals have lost doctors who specialize in delivering babies, emergency room trauma or psychiatric care because of medical malpractice insurance costs.

Illinois needs an environment that promotes and nurtures medical professionals, as opposed to one that repels them. Illinois law must be changed to limit jury awards for medical malpractice.

In addition, many health care providers are under enormous financial pressure. To alleviate these conditions, the state must become a fair, reliable and equitable payer of its obligations to the hospitals, nursing homes, pharmacists and health care providers that treat the state's indigent population. More than half of the patients Illinois community hospitals serve are government-sponsored. Yet, government reimbursement covers less than the cost of treating those patients.

The government's failure to pay the full cost of medical services inappropriately shifts those expenses

to all private-pay and employer-provided insurance. Illinois employers pay higher health care premiums as a result of the state's failure to meet its financial obligations.

If there is to be any hope of controlling employers' skyrocketing health care costs, the General Assembly must stop legislating health care mandates. This year, legislators added mandates for contraceptives, colorectal screening and prescription inhalants. Likewise, it is hypocritical and irresponsible for the state legislature to continue expanding Medicaid benefits when it cannot afford the current bill. Do politicians fail to understand there is a correlation between mandates and costs?

Unemployment insurance The Unemployment Insurance Trust Fund is broke. Illinois' unemployment benefits are being paid from funds borrowed from the federal government. These funds must be repaid over the next several years, with interest. Employers' unemployment insurance taxes will increase annually to repay the federal obligation and to replenish the fund balance. These taxes will increase over time, reaching more than \$1 billion per year by 2005.

Due to high unemployment and benefit increases, payouts have outpaced the taxes paid by employers. The system also has expanded beyond its original purpose of providing benefits only to individuals who become

Our elected leaders' primary expectation of business should be to provide jobs for our citizens, not to serve as the state's cash cow.

unemployed due to no fault of their own, to include individuals who may be dismissed for causes other than lack of work. The existing debt is huge without adding any new and costly benefits. Another key component in determining employers' costs will be the duration of time allowed for replenishing the fund. The legislature's efforts to address this issue in the coming months could further increase employers' unemployment insurance taxes.

Judicial reform Several reports issued within the past year have identified Illinois as a state with one of the worst judicial environments for reasonable court judgments and awards. One report put Madison County among the nation's most notorious "judicial hell holes." Landmark asbestos and class action lawsuits, settlements and verdicts against major corporations have branded Illinois as having an unfriendly and expensive legal environment. It is hardly a reputation any state would desire.

International trade At the beginning of the 21st century, no place on earth demonstrates more dramatic economic change than China. In the new millennium, capitalism prevails. Investment and job growth flow to locations where conditions favor profitable returns, and political leaders who are eager to recruit job providers. It is not by accident that China boasts the most dynamic economic growth rate in the world. Gov. Blagojevich should lead trade missions to China.

His administration should seek guidance from the hundreds of multinational corporations that operate in Illinois and partner with Illinois businesses to help the state find and grow new international markets. The state should prevail upon the multicultural communities and consulates that are prevalent in metropolitan Chicago to help foster trade relations for Illinois producers.

Fiscal accountability A positive aspect of the Blagojevich Administration's approach to governing is the apparent commitment to apply business management practices to

state government. It's in the self-interest of every taxpayer to encourage this approach and to inundate elected officials with suggestions on where to streamline and eliminate unnecessary government functions, regulation, delay and inefficiency. Corraling the state's unbalanced budget requires a presumption that we already have too much government, a strong dose of skepticism, a willingness to jettison existing programs and an extraordinary spending restraint.

Instead of passing new laws to grow government's reach and increase the demand for more taxes, lawmakers should undertake a disciplined evaluation of past laws and start a campaign to repeal programs and operations that are inefficient or of marginal value. A scaled-back government should be less costly to operate.

In summary, government needs a vibrant private sector to build and energize the economy and provide employment. Our elected leaders' primary expectation of business should be to provide jobs for our citizens, not to serve as the state's cash cow.

The relationship between government and the business community is symbiotic and should not be needlessly confrontational. Government has a need for predictable revenue to provide for the common good, and business has a need for an economic and regulatory environment that encourages creativity and profitability.

The government needs job providers to attract and retain highly productive people who will contribute to our communities and sustain an outstanding quality of life for the Prairie State. The state's political leadership needs to address these important business issues because the state's future is dependent upon a robust private sector that provides opportunities for people to succeed. ▣

Douglas L. Whitley is president and CEO of the Illinois State Chamber of Commerce. He has held positions as president of Ameritech-Illinois, director of the Illinois Department of Revenue and president of the Taxpayers' Federation of Illinois.

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SHIFTS AT THE TOP

Brenda Holmes, a former high school teacher, lobbyist and educational consultant, has been named deputy chief of staff for education in Gov. Rod Blagojevich's administration.

The Springfield woman began the task of advising Blagojevich on school funding and policy issues in August.

Holmes, a Charleston native who taught high school in Pawnee from 1969 to 1983, also held several positions in the Illinois State Board of Education and on the Illinois Senate Republican staff between 1987 and 2000.

In 2001, she was named to the Samuel K. Gove Legislative Internship Hall of Fame, which honors former legislative interns. Holmes was a 1983-84 intern.

Dennis Vicchiarelli, an economic development and marketing specialist in Chicago, has been named deputy director of business development for the Illinois Department of Commerce and Economic Opportunity.

Vicchiarelli had been business development director for World Business Chicago, a not-for-profit economic development and marketing program for the city of Chicago. He specialized in attracting technology companies.

James DeMunno, a Chicago workers' compensation attorney, was appointed to the Illinois Industrial Commission as the representative of the Chicago, Galena and Peoria territory. That board hears workers' compensation cases.

DeMunno replaces **Douglas Stevenson**, co-founder of a Chicago law firm specializing in representation of employers and insurance carriers in workplace injury cases. Stevenson had been on the board since 1998.

U.S. attorney tapped

U.S. Sen. Peter G. Fitzgerald in September nominated **Ronald Tenpas**, a federal prosecutor from Maryland, to replace **Miriam Miquelon** as the U.S. attorney for the Southern District of Illinois. Tenpas is an assistant U.S. attorney in the Southern District of Maryland, located in Greenbelt. As deputy criminal chief and branch chief of that office, Tenpas has served as prosecutor in several high-profile cases.

Last year, during the Washington, D.C.-area sniper investigation, he was one of the prosecutors who prepared initial federal charges against the two defendants. He also handled court proceedings to decide whether the press would be given access to the juvenile defendant's hearings.

Also during his four-year stint in Maryland, he was prosecution co-counsel in a kidnapping and the attempted murder case that involved a federal witness. The witness, who was shot, was a Maryland college student.

Tenpas won a life sentence against a defendant who crashed into a school bus at the end of a shoot-out and car chase with the Federal Bureau of Investigation and U.S. marshals. And he was co-counsel in the prosecution of a federal employee who accepted bribes and kickbacks in return for steering government contracts to electrical repair companies. The employee was convicted along with a private accountant.

The Pennsylvania native was an associate in a Tampa, Fla., law firm from 1993-97. He then began his federal prosecution career in central Florida, where he was assigned to the Major Crimes Section.

He prosecuted the first criminal case in the country for unlicensed operation of a radio station by a "micro-broadcaster." The case included defending challenges to the Federal Communications Commission's authority to regulate the airwaves, particularly in low-power broadcasts.

Tenpas served as a law clerk to U.S. Supreme Court Chief Justice William Rehnquist; Louis Pollak, United States District Court Judge for the Eastern District of Pennsylvania; and Howard Holtzmann, judge on the Iran-U.S. Claims Tribunal located in The Hague, The Netherlands. That international arbitration court was created in 1981 to settle claims related to the Iran hostage crisis.

He received a bachelor's degree in international relations from Michigan State University, and was a Rhodes scholar at Oxford University. At the University of Virginia Law School he served as editor-in-chief of the *Virginia Law Review*.

Tenpas must now be formally nominated by President George W. Bush and confirmed by the U.S. Senate.

Scandal by the number

High-powered lobbyist **Arthur "Ron" Swanson** became in mid-September the latest adviser of former Gov. George Ryan to be indicted in the federal Operation Safe Road investigation.

Prosecutors accused Swanson of perjuring himself in three separate grand jury appearances. They contend he lied about a contract at the Metropolitan Pier and Exposition Authority.

The highest-ranking official to be convicted in the investigation, which came to light in 1998, is **Scott Fawell**, the manager of Ryan's campaign for governor. Fawell, the chief of staff in Ryan's secretary of state administration, was convicted in March of racketeering conspiracy and sentenced to six and a half years in prison.

Among those sentenced recently was **Robert Doyle**, a business associate of former state Rep. **Roger "The Hog" Stanley**. Doyle got three months in prison and three months of home confinement for involvement in a bribery scheme. Stanley, who pleaded guilty to corruption charges, was scheduled to be sentenced late last month.

Ryan friend **Lawrence Warner** is set to go to trial in February on charges that he used his influence to fix state contracts.

People charged in Operation Safe Road:	65
People convicted:	58
People acquitted on all charges	0

All figures as of mid-September

Hall of fame

The Samuel K. Gove Legislative Internship Hall of Fame will honor four individuals who once served as legislative interns. They will be inducted into the Hall in a ceremony at the Executive Mansion on the 27th of this month.



The 2003 inductees are:

David A. Epstein, a judge on the Illinois Court of Claims. He was an intern in the class of 1973-74.

Brian McFadden, chief of staff to the Illinois Senate Republicans. He was an intern in the class of 1986-87.

Margaret "Peg" Mosgers, analyst for the Illinois Senate Republicans. She was an intern in the class of 1981-82.

Judith Redick, retired administrator of adolescent and school health programs at the Illinois departments of Human Services and Public Health. She was an intern in the class of 1973-74.

Members of the Hall of Fame were interns at least 10 years ago for one of Illinois' legislative leaders or for the Legislative Research Unit, and have had outstanding careers in public service. Their names are inscribed on a plaque that hangs on the fourth floor of the Capitol.

The Lincoln Presidential Center at the University of Illinois at Springfield

and *Illinois Issues* sponsor the hall, which is named after Gove, one of the magazine's and the internship's founders. He was the longtime director of the program, which is now administered by the University of Illinois at Springfield. A selection committee chooses individuals every other year. This year's inductees bring the Hall of Fame to 36 members.

BIT

Anne Zimmerman

The longtime lobbyist for nurses died September 10. She was 89.

Zimmerman was the executive director of the Illinois Nurses Association for 25 years and was president of the American Nurses Association for two years in the late 1970s.

During her tenure with the nurses association, Zimmerman helped to create the Illinois State Medical Society. Key issues for her were boosting funding for bachelor's and master's degree nursing programs and boosting pay and status for nurses.

Zimmerman, who began her stint at the Illinois Nurses Association in 1954, was feted by that group a decade later with an honorary member position named for her. The American Academy of Nursing named her a Living Legend honoree in 1997.

Prior to coming to Illinois, she had worked for nurses' associations in Montana and California.

Dr. Mary Maryland, president of the Illinois Nurses Association, says Zimmerman had a "deep commitment to the welfare and education of nurses" and "an unwavering dedication to excellence in patient care."

QUOTABLE

“In my view, that means our streets are less safe, not more safe. And I’m not going to stand for it. When the legislature has to convene, they have to ask themselves one simple question and that is whether or not we should have a system that treats criminals better than it treats police officers.”

Gov. Rod Blagojevich in the Chicago Tribune, explaining why he used his amendatory veto to change death penalty legislation by removing a section that would have made it easier to take the badges of police officers who lie in capital cases.

“The governor indicated he’d like to work out a compromise. But he did it too late. He should have sat down with the sponsor of the bill prior to selling out to the [fraternal order of police].”

Senate President Emil Jovine in the Chicago Tribune, responding to the governor’s amendatory veto of death penalty legislation.

Senate hopefuls

Illinois Comptroller **Daniel Hynes** says he will run as a Democrat for the U.S. Senate seat now held by **Peter Fitzgerald**. The Republican isn’t running again. Dems who have announced or are considering a run: state Sen. **Barack Obama**, former Chicago School Board President **Gery Chico**, Cook County Treasurer **Maria Pappas**, investor **M. Blair Hull** and health care consultant **Joyce Washington**.

Among the Republicans who have announced or are considering a run: state Sen. **Steven Rauschenberger**; lawyer **John Cox**; and businessmen **John Borland**, **Andrew McKenna**, **James Oberweis** and **Jack Ryan**.

LETTERS

Build mine-mouth power grids to prevent electricity blackouts

Where were you when the lights went out during the great Northeast blackout? The power grid blacked out in three minutes, and 30 million people suffered.

The way to stop this from happening here is to build mine-mouth power grids to stop future blackouts (see *Illinois Issues*, July/August, page 27).

For more than two years the state of Illinois has had mine-mouth grants and loans to start a new 21st century clean coal technology. Cut all the government red tape for the process. It will mean more jobs, which will solve the \$5 billion deficit in the state.

The power companies need to invest in the mine-mouth process. The great change is that the coal won't be transported in trains to the power plants, but transformed to electricity at the top of the coal mines to go to the

power plants through the power grid system.

For more than 150 years the coal mines and the railroads have had a sweetheart contract to move the coal to different locations. This 19th and 20th century plan doesn't work for the 21st century visionary plan.

The marriage among mine-mouth technology, power plant investments and the state's help is a revolutionary concept. Also, the federal government has to be behind the process for it to work. The federal government needs to help the state with more money.

The power grid system is 70 years old and needs to be fixed now.

The 21st century coal miner doesn't owe his soul to the company store anymore.

*George Culley
Piuckneyville*



Write us

Your comments are welcome. Please keep them brief (250 words). We reserve the right to excerpt them.

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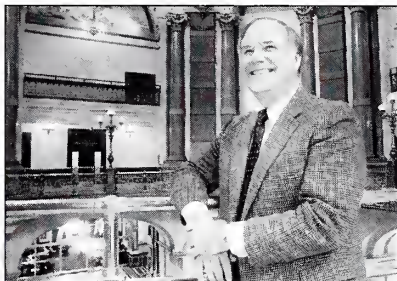
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Local officials now must comply with a federal mandate for election reform

by Charles N. Wheeler III

The other shoe appears poised to drop on Illinois' cash-strapped local governments.

Already reeling from new waste water permit fees imposed by the state, local officials now also face steep costs to comply with a federal mandate for election reform.

Under the Help America Vote Act, enacted last year in the wake of the Florida vote counting debacle in 2000, election authorities must:

- Upgrade outdated voting equipment so that voters are able to check for and correct errors, independently and in private, before their votes are cast.
- Equip each precinct with at least one voting machine that will allow a person with disabilities to cast a ballot in private.
- Ensure that all polling places are accessible to people with disabilities.

The reforms could cost \$180 million or more, but so far Illinois has received only \$44 million in federal aid. Even if Congress comes up with the full \$3.9 billion promised the states — a dubious proposition — Illinois' share could fall far short of the price tag for the changes, leaving state and local officials — and ultimately taxpayers — footing the bill.

The election law, informally known as HAVA, imposes other requirements as well, for example that persons whose eligibility to vote is questioned be allowed to cast provisional ballots

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subject to later verification, or that each state maintain a computerized statewide voter registration database.

But none is as costly as replacing older voting machines and guaranteeing that people with disabilities can vote in the same fashion as other citizens.

Consider the choice of voting systems, supposed to be in place for next year's elections, though Illinois has requested and expects to get a waiver until 2006. Despite well-documented problems with hanging and dimpled chads, the act does not ban punch cards, as long as the system provides a means for voters to catch mistakes, such as the precinct ballot counters used last year in Chicago and Cook County.

"But there's no question that the feeling is that punch cards are an

outmoded kind of system," says Ron Michaelson, the former executive director of the State Board of Elections who chaired the panel that developed Illinois' plan to comply with HAVA. "The intent is to tell the states that it's a system of the past, and to give them some financial incentives to upgrade."

Indeed, some 190,000 punch card ballots for president were not tallied here in 2000, either because voters punched for more than one presidential candidate or because the counting devices didn't detect a vote for anyone.

While the national impact was negligible, given the 570,000-vote margin by which Democrat Al Gore carried the state, each uncounted card represented a disenfranchised voter.

So the expectation is that punch cards will go the way of the dinosaur in Illinois, to be replaced by optical scan or touch-screen devices. In an optical scan system, voters fill in ovals on the ballot to indicate their choices, much like schoolchildren taking a standardized test. Touch-screen voting is similar to using an ATM machine, with the voter pressing the names of chosen candidates on the screen.

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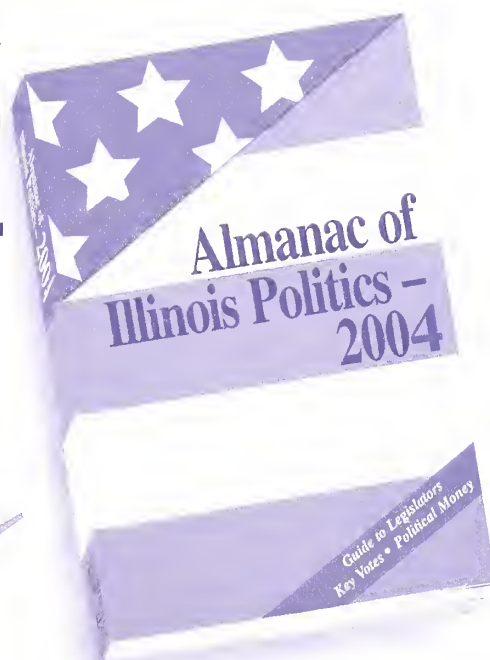
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More than 80 percent of those precincts used punch card ballots, while the rest used optical scan systems. Touch-screen voting was not even authorized in the state until a few weeks ago, when Gov. Rod Blagojevich signed an election reform measure designed to comply with HAVA.

Optical scan machines run around \$9,000 to \$10,000 a precinct, Michaelson estimates. So installing them in the 9,500 or so precincts that used punch cards last November could cost somewhere between \$85 million and \$95 million. Touch-screen voting, at \$4,000 to \$5,000 per machine, could cost twice as much, assuming four machines per precinct.

Federal funds will cover about \$35 million of replacement costs, leaving the remainder for state and local authorities.

"The law never intended for the feds to fully fund punch card replacement," Michaelson notes. "The main concern is the next two years, that the feds won't come up with the money to make precincts accessible."

The state plan is counting on \$50 million in federal aid next year, but Illinois is unlikely to see the full amount; while HAVA promises \$1.4 billion for election reform in federal FY04, Congress likely will allocate only \$500 million.

Such worry is not unfounded. To meet HAVA's mandate that by 2006 people with disabilities be able to vote just like everyone else, each precinct probably must be equipped with at least one touch-screen machine, which can "talk" to visually-impaired voters through earphones. For Illinois' almost 12,000 precincts, the bill would run \$48 million to \$60 million.

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Besides voter-friendly machines, HAVA requires that polling places themselves be accessible to everyone. In 2002, though, almost 700 Illinois polling places were not, the state board reported, including one out of three in Lawrence County and one out of four in Hancock County. Even with federal help, finding accessible alternative sites in rural areas might be quite difficult.

Despite such concerns, one can't argue with HAVA's intent. After all, a bedrock principle of democracy is that every citizen's vote should count.

Assuring that it does, though, could prove costly to Illinois taxpayers. □

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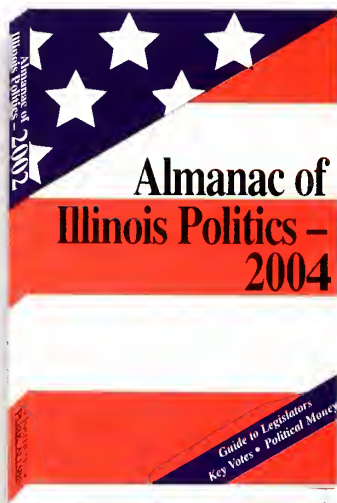
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